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THE PROBLEM OF INTERNAL SECURITY IN GREAT BRITAIN 1948-1953

H. H. WILSON
and
HARVEY GLICKMAN

DOUBLEDAY SHORT STUDIES
IN POLITICAL SCIENCE

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Doubleday Short Studies in Political Science

The Problem of Internal Security in Great Britain

1948–1953

By H. H. WILSON

Princeton University

and HARVEY GLICKMAN

Harvard University

DOUBLEDAY & COMPANY, INC.

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1954

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Editor's Foreword

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The authors of this book have provided the first summary statement of the general social impact of governmental security measures in a Western nation. Here is a detailed outline of the British experience covering the critical years 1948 to 1953. This is no superficial review of secondary sources, for there were practically none on which to rely. Though the authors are American scholars, their knowledge does not come at long range. As their preface reveals, they spent many hours interviewing in depth a wide range of key British leaders and observers. Hence the professional competence of the authors is buttressed by the authenticity of the primary sources they consulted. The brevity of the study is misleading because in terms of the major events and conditions the coverage is comprehensive. One of the interesting inferences to be drawn from the analysis is that it would have been impossible to achieve this coverage for the same period in the United States in a similar number of words.

Basically, the purpose of the following pages is to describe and analyze the official program of the British government toward internal security and some of its chief effects on certain non-governmental institutions. And yet the authors have ventured to invite the reader's attention to the possible reasons for what happened and to the possible lessons for the United States. Perhaps the average citizen or serious student of political affairs in Great Britain may not be surprised or impressed by the record as reconstructed by two foreign writers. After all, as is clearly shown below, the by-products of the control of subversion and disloyalty have not been a burning issue and have not been a critical political problem. This in itself is worth meditating upon, for one would have expected any democratic nation living in an unprecedented era of international parties, scientific development, mass communications, social instability, and ideological conflict to have experienced severe difficulties. The more open the society the more vulnerable it is, not only to internal attacks on its institutions, loyalties, and policies, but to the acute dilemmas of having to protect itself without resorting to totalitarian procedures. If the British have in fact escaped some of the direct consequences of this sort, it is more than a matter of idle curiosity.

One of the virtues of the present study is that it can be used as a mirror

in which our experience can be viewed. American society has been shaken to its foundations by the many facets of the controversy over internal security measures. Congressional investigations have been, of course, a central arena, but we know that families have been hurt, friendships have been shattered, professional artists have been deprived of opportunities, college and university faculties have been split, and whole communities have been plunged into conflict. We do not now have a clear and comprehensive picture of what the effect of internal security measures has been in the United States during the comparable period. However, the evidence suggests significant differences between the two countries.

The authors confront the curious citizen and their fellow social scientists with certain questions. Those interested in the contemporary problems of democracy and in the study of comparative politics may differ with the authors as to the reasons for the British experience thus far, and they might disagree over the lessons to be drawn, but that the questions raised are among the most pressing for free men in our age is undeniable. Why have the potentially tyrannical British laws on internal security remained dormant? Why is public opinion in Great Britain generally unreceptive to both governmental and private campaigns against allegedly disloyal citizens? How is it that the British people have apparently reached a consensus on the nature and dimensions of their Communist threat? Why has Communist influence in the schools not emerged as an issue? Why have a person's fundamental political values and past associations not figured significantly in British election campaigns? These and other questions will come to the reader's mind. How would the same kinds of questions be answered with respect to the United States?

It would be a mistake to assume that this is a pro-British polemic. The authors calmly and thoughtfully marshal the evidence. While they offer interpretative comments, the reader himself is able to make the direct contact with the material. Pitfalls and weaknesses—all recognized by the British themselves—are noted. The analysis makes quite clear that at several points in the security control system more extensive excesses could easily occur. What needs explaining is not that there have been no cases where individual civil rights and individual integrity have been violated but that these have been so few and on the whole minor.

Neither the authors nor the British people would claim superior character or foresight or greater capacity for self-government. If the British have so far resisted the great temptation to deal harshly with deviants and potential subversives, it is primarily because of shared patterns of behavior and social conditions which everyone takes for granted. What are these patterns and conditions? To what extent are they present in the United States?

RICHARD C. SNYDER

Preface

This study is designed to investigate the political and social effects of national security measures. It is an attempt to describe some of the problems faced by a democratic government in its efforts to maintain national security without jeopardizing democratic values, civil liberties, and the political freedoms of its citizens. All governments are, of course, required to tighten security measures in times of international tension. In a free society, however, it is essential that these measures not be permitted to inhibit normal political disagreement or create a climate of opinion in which controversy becomes suspect.

Only part of the problem is revealed by an examination of the pertinent laws, civil service regulations, or administrative orders. No attempt has been made to cover the whole field of civil liberties in Britain. We have tried to focus attention on the central problem of the government security program and its impact on the society. For this purpose we have briefly sketched the background against which the security program operates. An important element of the problem is the way in which formal procedures and pronouncements are interpreted by those concerned. The perception of the security situation may prove to be more significant than the specific program. Government officials, members of Parliament, trade union leaders, faculty members, university officials, officers of professional organizations, members of local school authorities have been interviewed to discover how these people view the security measures and how their behavior has been affected by them.

It is noteworthy that there is little published material specifically treating civil liberties in Britain. We have indicated some of the most useful publications in a selected bibliography. There have been no studies of the government security program, except for the excellent analysis by Miss Eleanor Bontecou which has been reprinted as an appendix in her book, *The Federal Loyalty and Security Program*.

Though certainly not definitive, we feel that our treatment of the security program in Britain represents an adequate appraisal; it is based on continuous observation of political developments in Britain since 1948. Between 1948 and 1953, we have made four visits to Britain and interviewed scores

of individuals, many of whom have been directly affected by the security program.

We wish to thank Miss Elizabeth Allen and the National Council for Civil Liberties, Mr. Stanley Mayne of the Institution of Professional Civil Servants, and Mr. Peter Shore for their special help and kindness during the compilation of this material. We are also very grateful to Mr. Geoffrey De Freitas, M.P., Mr. Austin Albu, M.P., Mr. Michael Stewart, M.P., Mr. John Boyd-Carpenter, M.P., Mr. Ian Mikardo, M.P., Mr. A. Hacker, Mr. David Widdicombe, Mr. Leo Pliatsky, Mr. G. C. T. Giles, Mr. Ronald Gould of the National Union of Teachers, Professor G. D. H. Cole, Mrs. K. M. S. P. Crump of the Middlesex County Education Committee, Mr. Fred Jarvis of the National Union of Students, Mr. Roy Boyfield of the Trades Union Congress, Mr. Leonard Sims of the Labour Party, Mr. G. V. Carvell of the Civil Service Union, Mr. A. E. Brown of the Amalgamated Engineering Union, Mr. Harry Crane of the National Union of General and Municipal Workers, Mr. John Elton, Mr. Gordon Sandison of British Actors Equity, Miss M. Sharman of Common Cause, and Mr. J. K. Dutton of the Association of Scientific Workers for their efforts in contributing information to our research. The help of the individuals, too numerous to mention here, in the unions, schools, civil service, and professions is sincerely appreciated. The responsibility for the opinions and conclusions in this work naturally remain with the authors.

H. H. WILSON
HARVEY GLICKMAN

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chapter one

The General Climate

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All democratic societies find difficulty in reconciling the requirements of internal security and traditional political freedoms. No reasonable person denies the necessity for adequate protection of national security. It is a primary responsibility of any government to guarantee its survival. The task is to provide security without undermining those freedoms which constitute the creative dynamic of democratic society.

International Tension and Domestic Factors

International tension since the close of World War II has intensified fear of espionage and subversion in all countries, but the problem for Western nations is compounded by the existence of Communist parties which look to the Soviet Union for leadership. The heart of the problem lies in the question of toleration for those who seek power to destroy traditional liberal democratic freedoms, and whose first loyalty appears to be an ideology in the service of a major power. Fascist parties in the 1930's presented a similar challenge, as they would today if there were a major fascist state in being.

Though the division of the world into two armed camps aggravates the problem, there are also domestic social conditions which represent inroads on individual freedom and which may contribute to loss of confidence in the principles of democracy. Highly organized activity which is a corollary of technological civilization places a premium upon conformity and discipline. The critic or dissenter appears to be a liability, an eccentric who would disrupt the smooth functioning of the productive apparatus. The demands of industrialization tend to influence other areas of society. Powerful bureaucracies, governmental or private, exert pressure for orthodoxy and impose sanctions on those who deviate. Today, the defense of freedom requires resistance to pressures from pervasive private power as well as from powerful governments, both supported by majority opinion.

The Long Struggle for British Freedoms

To a foreign observer it appears that Great Britain has sought to meet both these challenges without sacrificing civil liberty to the cause of secu-

rity, or individualism to the imperatives of technology. Political freedom and toleration did not spring full grown in British society. They are the products of long evolution, broken by periods of repression, violence, and ruthless persecution of the unorthodox. Only three centuries ago those who controlled the country believed that the loss of political rights or the death penalty were appropriate rewards for those who held religious or philosophical beliefs in opposition to official policy. At the end of the sixteenth century, according to Hallam, "the simple proposition that men, for holding or declaring heterodox opinions in religion, should not be burned alive or otherwise put to death, was itself little else than a sort of heterodoxy."¹

It is probable that the struggle for individual rights first centered on religious freedom. "As a nation," observes Richard Crossman, "we produce more than our share of heretics, because we have been endowed with more than our due of conscientious objection to infallibility."² Men gradually came to realize that attempts to enforce total conformity could only disrupt society and lead to savage warfare between absolutist factions. Since all religious sects were certain that they alone possessed the truth, they had to learn toleration or practice liquidation. Gradually among the ruling class, there spread a recognition that this was a marginal issue. The society could survive differences on many issues, including religion, so long as loyalty to king and country prevailed. In time certain fundamentals were established which gradually became a part of a living tradition. Freedom from arbitrary arrest was guaranteed by the Habeas Corpus Acts; religious liberty and toleration for nonconformity was accepted; and, with the extension of the franchise, political liberty was assured. No society will permit freedom to question the fundamentals, if there is fear that this will endanger the survival of society. In practice this has meant that those who governed were reluctant to extend freedom to criticize the sources of their power and privilege. Therefore, the application of democratic principles of freedom in concrete situations has required continuous vigilance and, on occasion, aggressive action.

Relevant Laws and Enforcement

Perhaps, for American students, one of the most remarkable aspects of the British political system, as well as of law enforcement and the civil service security measures, is the extent to which political freedom and individual liberty are dependent upon the discretion and restraint of enforcement officials. The fact appears to be that just as supremacy of Parliament technically empowers that body drastically to alter the constitution, so enforcement of laws long on the statute books could possibly jeopardize political controversy. As Professor W. Friedmann has explained, "British law knows of no guarantees of individual rights other than the limited guarantee of personal freedom in the Bill of Rights of 1689 and the Habeas

Corpus Acts.”³ Historical evidence forces one to conclude that both courts and governments have been willing in times of war or so-called political emergency to sacrifice the liberty of the subject. It is worth recalling that in 1925 a Conservative Government tried and convicted twelve Communist leaders for engaging “in an illegal conspiracy, preaching the doctrines of what they call Communism.” An illiberal regime has “an intricate web of unrepealed legislative restrictions” which can be used to limit “the right of freely expressing beliefs severally designated *sedition*, *blasphemy*, and *obscenity*.”⁴

The first legal definition of treason, passed in 1351, though modified by subsequent court decisions seems to make many actions treasonable.⁵ For example, it is treason punishable by death to “compass or imagine the death of the king, queen, or their heirs,” or “to levy war against the king, or give aid or comfort to the king’s enemy.”⁶ Under this statute William Joyce, “Lord Haw Haw” who broadcast for the Nazis, was tried in 1945.

Anyone seeking to seduce persons serving in H. M. Forces may receive up to a life sentence under the terms of the Incitement to Mutiny Act (1797). In practice this act has been used against persons distributing political literature.

The Seditious Meetings Act (1817) prohibits calling or holding a meeting of more than fifty persons anywhere within one mile of Westminster Hall “for the purpose or on the pretext of considering of or preparing any petition . . . to . . . either House of Parliament for alteration of Matters in Church or State.” Although this is the only flat restriction of free assembly, there is no provision in either statute or common law relating to the right to hold a meeting. General laws concerning public meetings and rights pertaining to this issue are still in dispute because of two famous cases in the 1930’s. Up to that time the prevailing precedent was expressed in *Beatty v. Gillbanks* (1882), that where people assemble for a lawful object without intending to cause a breach of the peace, they do not constitute an unlawful assembly although they have reason to believe that a breach of the peace will occur because of the conduct of their opponents. In 1936 *Duncan v. Jones* decided that it is the duty of a police officer to prevent a public meeting if he reasonably apprehends that it will result in a breach of the peace and that a person who persists in holding such a meeting can be convicted of obstructing the police. A 1935 ruling in *Thomas v. Sawkins* allowed the police to attend a public meeting on private premises if there was a reasonable suspicion that a breach of the peace might occur or a seditious speech be given. This means that the police have considerable discretion, for action hinges on the interpretation of “reasonable.” Free assembly depends, therefore, on the prevailing climate of opinion, the spirit of the times. In periods of acute unrest, as during the early 1930’s when the Unemployed Workers Movement was active, judges are likely to lean toward repression.

In 1911 the Official Secrets Act was enacted. Designed to apprehend spies, it was broadened and amended in 1920, and it now constitutes the heart of the security acts. The Atomic Energy Act (1946) also contains clauses which define as an offense communicating the contents of any "secret" document without the permission of the Ministry of Supply.

Nominally in reaction to the 1919-1920 Red scare and to meet a general strike situation, the Emergency Powers Act (1920) authorizes the government to declare an emergency for one month. This British procedure for the declaration of martial law is so broad that, according to one barrister, a government could "virtually do away with the whole protection of the existing law and the courts, and establish a complete military dictatorship."⁷

In 1934 the Incitement to Disaffection Act strengthened the earlier Incitement to Mutiny Act and made it an offense to endeavor maliciously and advisedly to seduce any member of H. M. Forces from his duty or allegiance. It makes the possession of political literature an offense and might be used against pacifists as well as political propagandists. "Thus, Quakers, issuing a pamphlet, innocently intended for their own community," says Ronald Kidd, "might be prosecuted if it fell into the hands of any member of the forces, although it was never intended for distribution to them at all."⁸ In fact this measure has not been used extensively, even during World War II.

To control the British fascists and particularly their practice of wearing uniforms, the Public Order Act became law in 1936. Under its terms it is an offense to take part in the control or management of any association whose members are "organized or trained or equipped" for military or police functions. At least by implication this law apparently extended to the whole country certain police powers that were provided by the 1839 Metropolitan Police Act. This measure established a whole list of offenses which permitted the police to arrest individuals without a warrant. It became a misdemeanor, for example, to use "any threatening, abusive or insulting words or behaviour with intent to provoke a breach of the peace or whereby a breach of the peace may be occasioned." Under police interpretation of this act, men have been arrested for distributing pamphlets! In practice, this law, presumably passed to keep Sir Oswald Mosley's fascists in check, was first used in a coal strike at Harworth Colliery. Subsequently the police used its provisions in several instances where strikers were charged under the section referring to "insulting words and behaviour."

Many of the normal protections against illegal detention, search, seizure of property, and the right of public trial were suspended under powers granted by the Emergency Powers Act of 1939. In accordance with Regulation 18B, the Secretary of State for Home Affairs had full authority to detain at his own discretion any person suspected of sympathy with the enemy. The scope of this regulation was greatly extended during the na-

tional emergency in May and June 1940, when it applied explicitly to any person who was or had been associated even indirectly with an organization subject to foreign influences or control, or under the control of persons associated actively, or in sympathy, with Nazi forms of government. Regulation 18B was the basis for *Liversidge v. Anderson* (1942), and the stirring minority opinion by Lord Atkin, who held that the Home Secretary should not determine "reasonableness" without the courts.⁹ Regulation 39B of this act was directed against false propaganda and was employed to suspend the *Daily Worker* in 1941, and to threaten with suspension the *Daily Mirror* in 1942. Even during the war there was bitter criticism of these regulations, and as soon as the war ended Parliament denied the Home Secretary the use of such sweeping powers.

Three other areas related to individual freedom warrant brief mention. First, there is no statute which prohibits the tapping of telephone wires and, apparently, no judicial or legislative statements covering the submission of evidence obtained by wire-tapping.¹⁰ There is, however, a common belief that security and intelligence agents do utilize wire-tapping in the course of their surveillance of certain individuals and organizations. "It would appear doubtful," according to one observer, "whether what was interpreted in that way would be admitted in a court of law as evidence, being too near hearsay. It would be for each court to decide the admissibility or otherwise."¹¹

Second, during 1953 there were a number of complaints reported in the press that private mail had been opened by government inspectors. The justification for this action derives from a currency control statute designed to prevent illegal monetary transactions.¹² Though persons suspected of Communist affiliation have felt that undue attention is given to their correspondence, the Government merely asserts that sampling procedures cannot be too selective.

Third, the law of libel is a possible source of restriction on freedom of speech. The law is interpreted extremely narrowly when it comes to public comments on individuals. In general, one may say with accuracy that much of what passes as political comment in some countries would not be permissible in Britain. "Freedom of discussion is . . . in England," notes A. V. Dicey, "little else than the right to write or say anything which a jury . . . think it expedient should be said or written."¹³

The Crucial Role of Public Opinion

This array of potentially restrictive statutes illustrates the need for an alert citizenry zealous in resisting officials who would shortcircuit normal procedures either through panic, or in the pursuit of an elusive absolute security. In *The New York Times* (February 5, 1953), the Conservative Home Secretary, Sir David Maxwell Fyfe, is reported as warning that it

would be a serious error to attack the problem of security through any attempt to mobilize public opinion. When there is no end of the "cold war" in sight and international tension continues, it is imperative to retain all the liberties of a free society and, specifically, to insure tolerance for political controversy. "In practice, communal alertness to arbitrary suppression of opinion by law," observes Henry Hamilton, "is the main safeguard of what freedom of expression we enjoy."¹⁴

Today there seems to be prevalent a widespread popular conviction in Britain that reliance upon democratic principles has been justified by the course of British history. After all, the establishment of many of the fundamentals of fair trial, the privilege against self-incrimination, the abolition of censorship, and freedom of association derive from a time when Britain's national survival was actually threatened by "agents of a foreign power." France and Spain were as potent then as the Soviet Union today, and Roman Catholicism was deemed as subversive of Protestant institutions as Communism is to democracy.

Liberty versus Security—The "British Way"

The British people have very strong convictions about the "British way," and these convictions are reflected in the popular attitude toward reconciling liberty and security. Thus, persecution for holding unpopular opinions is not tolerated partly because it is deemed to be "un-British" and out of character. It is also possible that class consciousness provides a safeguard, for there is still a deep division between middle classes and the working class, with the result that there are almost always opposing opinions on most social and political issues. This contributes to tolerance, since a majority of the population is forced to acknowledge that a large number of fellow citizens disagrees with them on matters of great importance. A well-established intellectual tradition of liberty of thought reinforces an emotional support for individual privacy and integrity, and tolerance for nonconformity and legitimate radicalism. Thus, the conservative *London Times* (February 10, 1948), in a discussion of Communism in the trade unions, concludes: "We do not wish to see in this country the persecution of any left-wing opinion now common in the United States. . . . If a campaign to remove an enemy within is allowed to develop until it becomes the rigid imposition of the views of those at the top, then the cure will be worse than the disease."

World War II convinced both the Government and the public that when national survival is at stake, just about the entire population will stand together in defense of the country. True enough, the Communists then taxed both governmental restraint and popular tolerance to the limit; their policy between 1939 and 1941 was very close to subversion and it served to disillusion many citizens. Certainly if at any time heavy restrictive

measures might have been widely supported as necessary and desirable, it was between 1940 and 1941 when bombs were blasting British cities and the Communists were calling for capitulation to the Nazis in the name of a "People's Peace." Many people have not forgotten that behavior. Nonetheless, even the existence of two potential espionage organizations during those years, the British fascists and the Communists, was not enough to launch a wholesale campaign against "un-British activity." It is not surprising, therefore, that in October 1947, when the Tory party's comic relief, Sir Waldron Smithers, asked if there would be a "Committee on Un-British Activities," Herbert Morrison answered for the Government, "No!"—and Commons laughed. Even the wartime emergency acts were closely watched, and there were protests in Parliament and outside when the *Daily Worker* was suspended. Apart from some callous official action and bungling in the treatment of "enemy aliens" by the Chamberlain Government in 1939–1940, by and large individual liberties were preserved and people refused to indulge in persecution and oppression.

Characteristically, there is popular trust in government and a widespread confidence in public officials. Men who go into politics or the civil service are not thought to be inferior, or even unable to meet a payroll. As Denis Brogan observes, "the modern English state has won the confidence of the ruled to a degree that has been part of the national salvation. If the English people were more cynical about their government they might be more intelligent but not more wise . . . The belief that his rulers were reasonably truthful, brave and honest was the armour on which the arrows of Dr. Goebbels broke in vain."¹⁵ In direct relation to the problem of security is the compactness of the society. The country is still largely administered by a relatively small number of Oxford and Cambridge graduates. Though this ruling group is gradually being recruited from a wider base, it is still true that knowledge of a person's origins, what school and university he attended, reveals his politics in most cases. This lessens the need for formal security checks, for everyone is known to dozens of others and word gets about quickly.

The British do not associate devotion to a particular form of economic organization with loyalty to the country, the constitution, or democracy. In part this is the living expression of John Stuart Mill's philosophy, and no Briton cares to take it upon himself to denounce a political philosophy as subversive, so long as it sticks to the rules of the game. The operation of a disciplined two-party system and the tradition of a loyal Opposition means that the concept of the state must encompass a government and a legal body which opposes it on most issues. Historically, the rise and success of the labor movement proves that it is impossible to identify the British constitution with any particular economic system. And the "silent revolution" of the Labour Government has served to condition people to

the acceptance of change or, at least, to the use of radical language. They have also learned that what was deemed to be unsound or even subversive by one generation may become eminently respectable in another. By their demonstrated devotion to established rules and parliamentary procedures, the Labour party has destroyed any static idea that loyalty is tied to a particular set of property relationships. In combination with the impact of two world wars in a single generation, Labour has demonstrated that sweeping social change may be introduced without an iota of subversion.

Even with this prevailing attitude the Communists may become targets because people have come to believe that they will not stick to the rules. At this time, people will tolerate restrictive measures against them, though they still insist on much more proof of illegal action than the testimony of professional ex-Communists, charges of the politically ambitious, or accusations of paranoid right-wingers. Certainly self-respect is sufficiently prevalent that few in Britain are fearful of words; at Marble Arch and Lincoln's Inn Fields anybody can say anything he likes in public. Presumably they assume that there is always the chance that even an apparently eccentric fanatic might have something useful to say and, in any case, he has the right to be heard. In pragmatic fashion the British are inclined to believe that it is action that counts, and no amount of legal mysticism, a distortion of some clear-and-present-danger concept, or nonsense about "conspiring to advocate" is likely to convince them that a man is dangerous so long as he merely talks.

There is both a highly developed self-respect on the part of the average person and a respect for the ordinary citizen by the political leaders. An illustration of this was provided in December 1950, when a Conservative member of Parliament suggested banning a Soviet Information Bureau pamphlet, *American Armed Intervention in Korea*. Mr. Ernest Davies, Under-Secretary for Foreign Affairs, replied that it was far better for the people of Britain to be aware of the Soviet line "because we have sufficient faith in this intelligent democracy being able to judge for itself what is the truth and what is not."¹⁶

Evaluation of the Communist Threat, 1920–1948

Preservation of civil liberties in a period of crisis requires a rational estimate of the nature of the problem. It is essential, for example, to comprehend the difference between seeking to establish security measures and trying to enforce "loyalty." The former is recognized in Britain as both essential and feasible; loyalty is understood to be something that cannot be compelled but is freely given by the individual to the society. Suppression never produces conviction. Thus, on March 18, 1948, in an editorial comment on the civil service purge, the *Manchester Guardian* warned that "we need to be very certain that any purge is operated with common sense

and proportion, not with hysterical prejudice. Too many dangers to the general liberties accompany political discrimination that is not most carefully hedged in." There is, further, a rational approach to Communism as a political doctrine with some claim to intellectual respectability and an awareness that individuals may have joined the party for perfectly respectable motives. The recognition of Communism as a body of political ideas rather than as a kind of loathsome contagious disease enables consideration to be given to the possibility that an individual may change his mind. "Impatient young men," notes the *Times* (February 10, 1948), "at a time when the Labour party had become solid and respectable and slow, easily turned farther to the Left." Awareness that conditions existing in the 1920's and 1930's served to convince many young people that the Communist party was the only alternative to stagnation and fascism militates against persecution.

It is a truism that no government deserving of the name will tolerate its own destruction. Therefore, preservation of the right of opposition and dissent, essential to political democracy, hinges on evaluation of potential danger. What conditions have to be present for revolution to succeed? How strong is the party which would subvert existing institutions? The British seem to have concluded that domestic Communists may constitute a potential espionage risk and they may even exploit industrial unrest, but as members of a political movement they are powerless to subvert existing institutions. The British Communist party was founded on July 31, 1920. It has never had any great membership—from 5,000 in 1920–1925 to an estimated 60,000 in 1943—although it has had varying degrees of influence and in some areas, at least, an importance not to be measured in terms of mere numbers. During this period it has managed to elect four members of Parliament. Probably the heyday of Communist influence came during the 1930's and especially during the Spanish Civil War. Continuing economic depression, the dole, the Means Test, mass unemployment, and the Labour party debacles of 1924 and 1931 had pushed many people into the party as a last resort and the only meaningful political alternative. The rise of Mussolini and Hitler and their support of Franco's revolt against the Spanish Republic saw the Communist party in Britain take the initiative in arousing resistance to appeasement. Many workers and more intellectuals felt that the Communists were the only group fully aware of, and prepared to act against, fascism. The behavior of Chamberlain, Lord Rothermere, Sir Samuel Hoare, Lord Halifax, and many others prominent in government and society served to convince many people that Britain's leadership was corrupt and perhaps only a somewhat milder edition of the capitalist-fascist elements in Germany and Italy. This conviction was reinforced by capitulation abroad, as evidenced by the Hoare-Laval pact and the non-intervention agreement, and by behavior at home. Thus both the 1934

Incitement to Disaffection Act and the 1936 Public Order Act, which were nominally passed to restrict activities of British fascists, were actually used in many cases against nonfascists and against the trade unions.

Communist prestige, however, suffered a tremendous decline after the about-face following the Nazi-Soviet pact in August 1939. For a few weeks, from September 3 to October 7, 1939, the British Communist party supported the war. Harry Pollitt had published, just after the outbreak of war, a pamphlet, *How to Win the War*, in which he said:

The Communist party supports the war, believing it to be a just war which should be supported by the whole working-class and all friends of Democracy in Britain.

To stand aside from this conflict, to contribute only revolutionary-sounding phrases while the Fascist beasts ride rough-shod over Europe, would be a betrayal of everything our forebears have fought to achieve in the course of long years of struggle against capitalism.

The British workers are in this war to defeat Hitler, for a German victory would mean that Fascism would be imposed on the defeated countries.

The Communist party will do everything it can to bring the war to a speedy conclusion, but only by the defeat and destruction of Hitler.

When the line switched, Pollitt first refused to retract, and was then removed as leader of the party to be replaced by R. Palme Dutt. A month later Pollitt signed a public recantation of his previous position. The Executive Committee of the party reversed its previous attitude and insisted that there was no difference between Britain's war aims and those of Hitler. This was mirrored in the *Daily Worker*:

The Communist party which has always stood in the forefront of the struggle for peace and against fascism, declares the continuance of this war is not in the interests of the people of Britain, France or Germany. . . . The truth about this war must be told. . . . This war is a fight between imperialist powers over profits, colonies and world domination. . . . Stop the war! The people must enforce the terms of a lasting peace.

(October 7, 1939)

We set our faces firmly against the bestial propaganda, this degrading attempt to picture the Germans as beasts and monsters. The British people have no quarrel with the German people. Our quarrel is with those in high places in our own country who dragged us into this cruel and unjust war.

(February 11, 1940)

On January 10, 1941, the Communist party held a "People's Convention for a People's Peace" in London, with some two thousand delegates attending from all over England. At this convention it was insisted that there should be a negotiated peace, in effect a capitulation to Hitler, as an end to the "imperialist war." This meeting was held at the height of the blitz! Plans to make the convention a permanent organization led to the one major interference by the Government with freedom of the press. The suppression of the *Daily Worker* came ten days after the conference was

concluded. (It was permitted to resume publication on December 7, 1942.)

To complete the circle, another Communist party organ, *World News and Views*, said, on June 28, 1941, that "Hitler's attack against the Socialist Soviet Union is Fascism's supreme aggression against the people of the world. The cause of the Soviet Union is the cause of the working people all over the world, of freedom, of socialism." Thus, on the day of the invasion of the U.S.S.R., what had been an imperialist war suddenly became a fight for freedom and democracy.

The entrance of the Soviet Union into the war as a result of the Nazi invasion enabled the British Communist party to regain at least some prestige. The achievements of the Red Army reminded many Britons that the huge losses of Russian lives were saving the lives of Allied troops. The result was a partial honeymoon for the British Communists throughout the war; they ceased to be a potential danger to the British war effort and party membership actually increased to an estimated sixty thousand in 1943.

With the overwhelming victory of the Labour party in the 1945 general election, many people were forced to make their political allegiance specific, since there was no longer need for a united front against the Tories. Furthermore, the Labour party has repeatedly refused, on at least three specific occasions since 1924, to permit the Communist party to affiliate with the Labour party. Thus, the Communists had to run their own parliamentary candidates in the 1945 election. They managed to elect two out of one hundred, and ninety-seven forfeited their deposits through failure to gain sufficient votes. Overall the Communist candidates received three-tenths of one per cent of the popular vote, which perhaps serves as some index of their popular support.

After this disastrous defeat at the polls, the Communists launched a persistent attack on the Labour party and on the trade union leaders. With the wage freeze in effect and the Government supported by the union leaders, the Communists were able to win some sympathy from dissatisfied workers, and they took the leadership in some strike situations.

Probably the final straw in influencing British opinion against the Communists was the coup in Czechoslovakia in February 1948. People of all political persuasions had hoped that peaceful existence of a democratic nation on the very borders of the Soviet Union would provide illustration of the possibility of coexistence, as well as serve as a means of communication between East and West. The National Executive Committee of the Labour party expressed a sentiment which is shared now by most British people:

No clearer demonstration could be possible that Communists consider as enemies all those who do not surrender unconditionally to their slightest whims. Slave or enemy—there is no third way. All their democratic phrase-mongering and Parliamentary façade are only temporary means to the dictatorship of a

single totalitarian party at the behest of a foreign police State. And they have repeatedly admitted this themselves.

Czechoslovakia is an acid test of sincerity. Those who seek to condone this crime show they are false to the principle of democratic Socialism for which the Labour party stands.¹⁷

Certainly in Britain the result of this coup was that the British party lost whatever popular sympathy it had regained, though it is clear that it never recovered its prewar status, in contrast to the French and Italian Communists, who had played a prominent part in the resistance movements. And after the Czech affair, segments of the Conservative press, such papers as the *Daily Mail* and *Daily Express*, went berserk and came close to advocating a kind of British McCarthyism. It is significant, too, that Prime Minister Attlee announced the introduction of a security program in the civil service on March 15, 1948. Since this time, the British Communist party has steadily lost ground and public opinion has increasingly hardened against it. More people are now convinced that the party is merely a tool of Soviet foreign policy, and the open anti-Semitic attacks during the Prague trials accelerated the decline in party influence and prestige. In the 1951 general election the party ran ten candidates, who polled a total of 21,640 votes, about .08% of the total national vote, and in every case the Communist candidate lost his deposit. Significantly, the ten contested constituencies were mainly solidly working-class areas in London and Scotland—areas with a long left-wing tradition.

The disclosure of the Canadian spy ring, the cases of Alan Nunn May, Klaus Fuchs, and Bruno Pontecorvo aroused people to the active threat of espionage. As far back as 1943, when National Organizer Douglas Frank Springhall (who died in Moscow, September 2, 1953) was sentenced to seven years' imprisonment for giving official secrets to the Soviet Union, it was apparent that some Communists were willing to participate in espionage. Springhall had been charged under the Official Secrets Act with obtaining information regarding munitions. He was released after serving four and one-half years, and went out to China as adviser to the Chinese Information Bureau. It is an interesting sidelight that as soon as Springhall was found guilty, the British party expelled him and fired his wife, who had been working for the *Daily Worker*. He had previously been warned by the party officials that his activity constituted a "major indiscretion."

By 1948 most British people were agreed that the civil service security program though nasty and unpleasant was necessary for the safety of the nation. Many people, especially those in the civil service unions, were fearful that the announced program might herald the beginning of a general persecution of unorthodox opinion or behavior. Therefore, from the start, efforts were concentrated on making certain that proper procedures were followed and that the program was held within bounds.

chapter two

The Government's Security Program

The first public incident occurring after World War II, concerning security in the civil service, arose in October 1947 when Colonel E. R. Bramall, Conservative M. P., charged that acts of sabotage had been committed by civil servants. Sir Stafford Cripps, then Chancellor of the Exchequer in the Labour Government, indicated the gravity of such a charge and forced Bramall to change the word "sabotage" to "disloyalty." Cripps subsequently appointed an independent investigator, Sir John Forster, K. C., the Chairman of the Industrial Court. The report, which appeared early in 1948, denied all of Bramall's charges and, subsequently, the latter's statements were officially withdrawn. It is well known, however, that unobtrusive security investigations had been occurring since 1946. Two scientists were involved in the cancellations of their appointments in the Atomic Energy Establishment and in the Control Commission in Germany, respectively. A third man was refused permanent civil service status.

Cases Involving Government Personnel

The significance of these incidents lies in the fact that they all took place without the usual explanation, sufficient to satisfy the staff representatives of the National Whitley Council for the Civil Service. The staff side considered these cases in consultation with Sir Edward Bridges, the head of the Civil Service Commission, in May 1947. Prime Minister Attlee's security statement in the House of Commons in March 1948 came, in part, in reply to inquiries which grew out of these incidents.

Until that date there had been no *official* departure from the procedure prescribed in the amendments to the last Official Secrets Act of 1920, except for the wartime regulations, which largely had been revoked by 1947 and for the cases cited below.

The case of the atomic scientist Alan Nunn May occurred in 1946. Although attached to the government through the Department of Scientific and Industrial Research, Nunn May was not a civil servant, and therefore he was not subject to a civil service security check. He was subject to investigation, however, during the war by the British Intelligence.

Previous to the war, in the 1930's, there were a number of cases of an informal political check on individual civil servants. In 1937 police officers visited the Kilmarnock post office and questioned the staff on their political affiliations. This occurred after two Kilmarnock postmen joined the International Brigade in Spain. In the same year police officers visited the homes of two executive members of the Civil Service Clerical Association and questioned relatives about the political activities of the executives. In 1938 a certain Major Vernon, an active socialist, was convicted of a violation of the Official Secrets Act in retaining overnight some information from the Royal Aircraft Establishment. This information was stolen by burglars, who were revealed as fascists during the inquiry. Suspicion still remains, in some circles, that the burglars were informally "hired" by the intelligence services in order to embarrass Major Vernon and force his discharge, since he was suspected of possible subversive activities.

Political Code of the Civil Service

The reasons for public sensitivity to these informal investigations are grounded in the maturation of a tradition of trust and responsibility in the civil service. There had been a continuous growth of a concept of loyalty above political party which had permeated the civil service for a long period in Great Britain. This grew up during the latter part of the nineteenth century after the revolutionary civil service reforms of 1853-1870 established by the Trevelyan-Northcote Report. The heart of the reforms was the scheme for recruitment by competitive examination which set the tone for an unwritten code of ethics and conduct. A fine statement of this occurs in the Report of the Board of Inquiry into the Gregory Case (Cmd. 3037) in 1928. Gregory was a Foreign Office official who was dismissed for using government information as a basis for his own and a friend's financial speculations. The report stated:

Practical rules for the guidance of social conduct depend also as much upon the instinct and perception of the individual as upon cast-iron formulae; and the surest guide will, we hope, always be found in the nice and jealous honour of civil servants themselves. The public expects from them a standard of integrity and conduct not only inflexible but fastidious and has not been disappointed in the past. We are confident that we are expressing the view of the Service when we say that the public have a right to expect that standard, and that it is the duty of the Service to see that the expectation is fulfilled.

This general, informal code of the service has been summed up in three characteristics: obedience, candor and anonymity. The spirit within the civil service is accorded a reciprocal prestige from the public. The national regard for the service's responsibilities is expressed in the awarding of ancient, traditional honors, which in Britain are real symbols of social status and respect. Although civil servants serve under no contract, but only at the

"Queen's Pleasure," an appointment to the service has been construed as an indication of faith in the ability and loyalty of the appointee and has been buttressed by an unwritten guarantee of continuous tenure until retirement, barring conduct reflecting discredit on the service. It is noteworthy that the higher the position that one examines, the more striking becomes the atmosphere of implicit trust.

The only statutes which affect the whole civil service are the Superannuation Acts and the acts preventing people in certain official posts from standing for Parliament. Particular types of behavior are governed by the Prevention of Corruption Act of 1906 and the Official Secrets Acts of 1911 and 1920. This is not to say that civil servants do not take part in politics because, as part of a group containing many persons of the traditionally intellectual elite, they naturally become active in community decisions.

The Masterman Report in 1949 on the *Political Activities of Civil Servants* (Cmd. 8783) establishes a line across the service, below which political freedom is absolute. Roughly 666,000 people are in this category. Above the line, in the professional, technical, and scientific grades, there are restrictions on political activity. All of this activity, however, must take place outside of the service, and, for the most part, this code has been observed. The vitality of this tradition of trust remained greatest in the administrative grades of the service and consequently was a factor in eliciting the great protest from members of this group after the announcement of the new security procedures in 1948. Of course the major reason for protest lay in the fact that this group was most affected by the program, since access to possibly secret material was easiest among high-level administrators.

Before examining the security program it is useful to clarify the structure of the civil service. In 1949 there were about 700,000 employees in the civil service. This does not include the industrial civil service (i.e., those in laboring positions in the government's plants and industry) nor does it include people in the British Broadcasting Corporation, the National Coal Board, the British Electricity Authority, the National Gas Council, and the boards of other nationalized industries. Employees in this latter group are not classified in the civil service for a number of technical reasons not relevant here. The civil service is spread over a wide geographic area. Apart from the postal workers there are over 250,000 civil servants in 10,000 local and regional offices in all sections of Britain, outside of London.

The organizational hierarchy of the civil service can be broken down into two classes: those which cut across the whole service and those which are peculiar to different branches and different departments. The "Treasury Classes" (which can be generally identified as the desk workers) are present all through the service. They include the Administrative (4,316), in charge of policy and top-level control (the actual policy-making elite amounts to about 800); the Executive (63,527), in charge of various staff, supply,

and accounting functions; Clerical and Clerical Assistant (260,757), performing general clerical and filing tasks; Typists and Shorthand Typists (32,098). These classes account for one-half of all the purely administrative employees and one-third of the service altogether. Other classes in the service are Professional, Technical, and Scientific (47,663); Post Office—minor and manipulative grades (200,182), and technical ancillary grades (52,277); the Inspectorate (5,096); and the Messengers, Cleaners, and Maintenance staff (40,281). The numbers in parentheses indicate the totals in each class as of April 1949.

The New Security Program, 1948

In order to appreciate the atmosphere surrounding the change in security procedure, one must examine the events which immediately preceded the announcement. In February 1948 the Communists seized control of the Czechoslovak government. This detonated a series of newspaper and magazine explosions about the danger of Communist infiltrations ranging from Russophobic right-wing war cries to left-wing murmurs of shocked disillusionment. It was rumored at this time that U. S. authorities were increasing pressure on the British Government for a tightening of security measures.

The shock, confusion, and disappointment which occurred in Britain as a result of the Czechoslovakian coup accounted for much of the simple acquiescence in Parliament and elsewhere (even among the left wing of the Labour party) which greeted Attlee's statement.

Prime Minister's Statement

(Hansard, 15th March, 1948)

In answers to questions on the subject of the transfer or dismissal of certain Government servants, I have said that there are certain duties of such secrecy that the State is not justified in employing in connection with them anyone whose reliability is in doubt.

Experience, both in this country and elsewhere, has shown that membership of, and other forms of continuing association with, the Communist party may involve the acceptance by the individual of a loyalty which in certain circumstances can be inimical to the State. It is not suggested that in matters affecting the security of the State all those who adhere to the Communist party would allow themselves thus to forget their primary loyalty to the State. But there is no way of distinguishing such people from those who, if opportunity offered, would be prepared to endanger the security of the State in the interests of another Power. The Government has, therefore, reached the conclusion that the only prudent course to adopt is to ensure that no one who is known to be a member of the Communist party, or to be associated with it in such a way as to raise legitimate doubts about his or her reliability, is employed in connection with work the nature of which is vital to the security of the State.

The same rule will govern the employment of those who are known to be actively associated with fascist organizations.

I should emphasize that this action is being taken solely on security grounds.

The State is not concerned with the political views, as such, of its servants, and as far as possible alternative employment on the wide range of non-secret Government work will be found for those who are deemed for the reason indicated to be unsuitable for secret work. It may, however, happen that it is impossible to find suitable employment elsewhere in the Civil Service for individuals with specialist qualifications and in such cases there may be no alternative to refusal of employment or dismissal.

It should be noted that Attlee reiterated the Government's unconcern for political views per se, although this became exceedingly difficult to prove on theoretical grounds, and that the Government would endeavor to relocate people transferred for security reasons to nonsecret positions. Reaction in Parliament lacked distinction and, except for the two Communist M. P.'s, there was no attack on the program. Comment among Labour M. P.'s was confined to measures for safeguarding the individual rights of civil servants, and Conservative statements ranged from complete agreement to incredulity at the mildness of the step. Attlee's "purge" (as it was immediately christened by the Conservative newspapers and civil service unions alike) served to whet the appetites of the more impulsive political journalists, and rumors which claimed that major anti-Communist moves were in the offing were circulated. The disclosure of the disaffection of Douglas Hyde, an editor of the *Daily Worker*, soon afterward, served to add to the spate of stories, purportedly awakening the populace to the menace of Communism. One might wonder in this period at the restraint exercised by the Government and marvel at the few non-Communist critics of the security program who refused to be silenced.

Although the staff side of the National Whitley Council for the Civil Service, which acts as the joint consultative and the joint negotiating body, did not object in principle to the new program, it embarked on an effort to define the guarantees against the abuse of procedures and modify the machinery of the program to allow the supply of further information before and during the appeal of the charges involving the civil servants affected by the security order. The precise terms of the Government's proposals were finally revealed in the full debate in the House of Commons on March 25, 1948. This was ten days after the Prime Minister's statement, during which time he had been harassed, almost daily, by questions concerning procedures and safeguards under the security program. In essence, these procedures were:

1. Actual decision to transfer must be made by the appropriate minister.
2. The security services can only provide information and advice. At all stages their investigations must remain confidential.
3. The civil servant concerned in any inquiry must be informed of the suspicion as to his reliability and ". . . should be given, as far as possible, chapter and verse . . ."

4. There would be procedure for a reply by the civil servant and for an interview with his superior and with the minister, if desired by the civil servant.

5. An advisory body of three retired civil servants would serve to examine evidence forwarded by the minister and advise on decisive action. But, in the end, it is the minister who is responsible for decisions. Following are the terms of reference for this advisory board, which illustrate the direct focus of responsibility on the minister:

1. It has been stated that no one who is believed to be (a) either a member of the Communist party or of a fascist organisation, or (b) associated with either the Communist party or a fascist organisation in such a way as to raise legitimate doubts about his reliability, is to be employed in connection with work the nature of which is vital to the security of the State.

2. You have been appointed to advise Ministers, in any cases referred to you, whether, in your opinion, their prima-facie ruling that a civil servant comes under (a) or (b) above is or is not substantiated. The decision on what employment is to be regarded as involving "connection with work the nature of which is vital to the security of the State" is not for you but for Ministers in charge of departments.

3. Your functions do not extend beyond advising the Minister whether the prima-facie case has or has not been substantiated. You are not concerned with the action which he may decide to take in relation to the matter.¹⁸

In her book *The Federal Loyalty and Security Program*, Eleanor Bon-tecou commented on Sir Thomas Gardiner, the chairman of the advisory tribunal:

. . . he apparently appreciates the importance to the Civil Service as a whole, as well as to the particular civil servant, of the application of fair and just standards in treatment of its individual members. Both he and Sir Edward Bridges, head of the Civil Service, have sufficient imagination and sophistication to understand that the idealism which may lead young men to espouse radical causes in their youth is a valuable quality in a civil servant. Such men are not inclined to be overawed by the judgments of the intelligence agency.¹⁹

The staff side of the National Whitley Council pressed for trade union representation during the appearance of the civil servant at any of the hearings. This was rejected by the Government due to the extraordinary nature of the proceedings (not an ordinary case of "occupational difficulty") and the necessity of guaranteeing the secrecy and hence the effectiveness of the sources of information. An underlying reason for the Government's refusal (and the lack of official Trades Union Congress protest) was revealed in the September 1948 T.U.C. conference report when B. Smith of the Association of Scientific Workers stated:

It is no doubt very difficult for the General Council to secure for certain unions that have Communists in their membership rights for which the Trade Union Movement have always fought. Perhaps it is even more difficult than it

might be, because some of the unions, in addition to having Communists in their membership, have Communist officials, and those Communist officials, it may be suggested, will, in many cases as a result of representing their members, have opportunities of learning how information is collected with regard to the activities of the Communist party which would be prejudicial to the interests of the State.²⁰

With the appointment of the advisory board, the Government began operations on its heightened security program in the summer of 1948. The only further technical changes in the program occurred in February 1952 under the Conservative Government when procedures were "tightened." After that date all people engaged in highly secret work or in contact with highly secret material had to answer a questionnaire and state whether they had been members of the Communist or of a fascist party or had been in association with groups connected with these parties so as to cast legitimate doubt on their personal reliability. All persons subsequently hired for such positions also had to answer such questionnaires. It is impossible to gauge the result of a false statement, since no prosecution of perjury has arisen. Previous to the 1952 additions, the only other structural change in civil service hiring procedure was in the notice of the Civil Service Commission to all candidates, advising them of the March 1948 security order and, in effect, warning candidates that certain posts will not be open to those who might fall into the categories named in the 1948 order.

Fears of a "Witch-hunt"

During the summer of 1948 there was a genuine fear among many civil servants that the "purge" was only the beginning of a general "witch-hunt" and that many non-Communists and former Communists would suffer. This was expressed in virtually all conferences of the civil service unions and, in fact, only two of the nineteen unions (representing about 160,000 out of the 530,000 union members in 1948) did not officially denounce the "purge" and resolve their opposition. Coupled with fear of the abuse and the widening of security measures was the feeling that this action in its very conception was "un-British" and contrary to the liberal tradition of free dissent and the tolerance of nonconformity which had become entrenched in British society. To a major extent these fears proved exaggerated, although groups like the National Council for Civil Liberties and most of the civil service unions remain opposed to the procedure in its entirety. Of the more than 700,000 persons theoretically liable for investigation, only 139 actually have been affected by the security scheme. In effect, few over 100,000 could possibly be liable for investigation (i.e., would possibly have any access in any way to secret material) and of these perhaps 20,000 might seriously be considered for investigation. Another writer has estimated that one-sixth of all nonindustrial civil servants are

affected. It is doubtful whether all such people would be investigated in any case. Of the 148 cases of official action up to January 1954, 42 resigned or were discharged, 69 were or will be transferred, 28 were reinstated, and 9 await the minister's decision.²¹ This would not indicate a wholesale witch-hunt. Both the Labour and Conservative Governments since 1948 have resisted suggestions for a royal commission investigation of Communism in Britain, for the dismissal of all Communists in the civil service, for the investigation of Communists in the communications industries, and for the publication of a list of subversive organizations. (It should be noted here that, although all these suggestions were voiced in Parliament, they emanate from a small group of members who rarely, if ever, have been taken seriously by the general public.)

In a number of ways, however, the actual procedure of the security program did not measure up to the spirit of the Government's public statement of 1948, vague as it was. A series of written exchanges ensued between the staff side of the National Whitley Council and the Prime Minister which assumed the pattern of staff side protests concerning various instances of the alleged misinterpretation of orders. Whole headquarters establishments in ministries like Air, War, Admiralty, and Supply ultimately were deemed sensitive and, although a case could be made for possible access to secrets even by janitors, this seemed excessive to most civil servants. Then, in the actual execution of the program, on the basis of information gathered by security investigations, many of those people involved were not informed of the specific nature of the charge—"chapter and verse"—as promised. Attlee received a deputation on this last problem in November 1948, and announced satisfaction with the procedures in December after an investigation into 29 cases to which he had been referred.

Actual Procedures of Investigation

Information on actual procedure can be gathered only from overt official acts involving the suspected civil servants, since the operations of MI5 (comparable to the FBI or Scotland Yard) are a well-kept secret. The political literacy of MI5 is recognized as not among the organization's strongest characteristics, and the use of hearsay can figure strongly in the evidence gathered. This is counteracted somewhat by the practice of reviewing the nature and veracity of such evidence by the advisory tribunal upon appeal by an accused civil servant. In July 1953 a series of letters to the *Manchester Guardian* revealed the use of wire-tapping as a tactic in the Ministry of Supply investigations and resulted in a Parliamentary reply by the minister, Mr. Duncan Sandys, stating such use was "quite improper" but holding that the information desired was necessary and in keeping with security regulations. During World War II MI5 was criticized heavily for its tactics and the use of inadequate evidence in its investigations of

aliens and other people linked to enemy groups. (These included Communists and fascists from 1939 to late 1941, and fascists only after 1941.) The mechanics of the procedure, which should implement the findings of the investigating officers, can be gathered from the memorandum distributed to all ministers on May 21, 1948.

Communists and Fascists in the Civil Service

Statement of procedure to be followed
when individuals are believed to be within
the scope of the Prime Minister's statement
of 15th March, 1948

1. The Minister* will have before him information on which to decide whether the Civil Servant is *prima facie* to be regarded as coming within the scope of the statement 15th March, 1948. A Civil Servant will be so regarded if—

- (a) he is employed or is intended to be employed in connection with work the nature of which is vital to the security of the State; and simultaneously,
- (b) he is believed to be—
 - (i) either a member of the Communist party or of a fascist organisation; or
 - (ii) associated with either the Communist party or a fascist organisation in such a way as to raise legitimate doubts about his reliability.

The same standards are to be applied to members and associates of the Communist party and of fascist organisations in deciding whether they come within the scope of the statement of 15th March. No statement of general application can be made as to what constitutes association under (ii) above. The mere fact that a person has, at some time in the past, been a member will not in itself be considered as sufficient evidence. If the membership was fairly recent that would be a consideration to be taken into account, the best judgment being formed in the light of all the facts known, of which this would be one.

2. If the Minister rules that there is a *prima facie* case, the Civil Servant is at once to be so informed. He will also be told under which head—(i) or (ii) of the preceding paragraph—he is thought to come and will be given any other particulars, such as the date of his alleged membership or the nature of the alleged association, that might enable him to clear himself. But there will have to be limits to the information given for he cannot be given such particulars as might involve the disclosure of the sources of the evidence.

3. At the same time the Civil Servant will be asked to say whether he accepts or denies the allegation that he comes within the scope of the statement. If he accepts the allegation, he will be dealt with as described in paragraph 8 below. If he does not admit the allegation, he may, if he wishes, make written representations to the three advisers and may appear before them in person. He should have fourteen days in which to decide whether he wishes to appear and to put in his representations. At the same time as he is informed of the Minister's ruling he will normally be sent on special leave with pay, care being taken as far as possible not to disclose the reasons for his absence to his colleagues.

4. The Minister will reconsider his *prima facie* ruling in the light of any reply that may be made. If he decides that there is no reason for varying it and the

* That is, the Minister responsible for the Department to which the Civil Servant belongs.

Civil Servant has not admitted the allegation and has asked for a reference to the three advisers, the latter will be asked to consider the case as soon as possible.

5. Their function is limited to advising the Minister on the question of fact: "Is the Civil Servant either—

- (a) a member of the Communist party or of a fascist organisation; or
- (b) associated with either the Communist Party or a Fascist organisation in such a way as to raise legitimate doubts as to his reliability?"

6. In discharging this function the advisers will take into account the representations made by the Civil Servant. They will hear him in person, if he so wishes. He may also ask third parties to testify to them as to his record, reliability and character but he may not be accompanied and/or be represented by a third party before them. In the special circumstances of these cases the proceedings must be governed by the requirement that neither sources of evidence nor evidence which might involve the disclosure of sources can be given to the person concerned. The advisers will therefore count it as an important part of their functions to see that anyone appearing before them can make his points effectively and will adapt their procedure in such a way as to give him the best possible opportunity of bringing out the points which he wishes to bring to their notice.

7. On receiving the report of the three advisers, the Minister will reconsider his *prima facie* ruling and if he decides to uphold it, he will give the Civil Servant an opportunity of making representations to himself or his representative before action is finally taken. Similar opportunity will be given when the Civil Servant does not wish his case to go to the advisers.

8. A Civil Servant finally considered as within the scope of the statement of 15th March will be posted to or retained in a non-secret branch within his own Department or, if this is not practicable, will be posted to a non-secret branch in another Department. If he belongs to a category which it is impossible to employ in any other than a secret branch or if his qualifications or experience are such that no alternative employment elsewhere in the Government Service can be found, he will have to be dismissed unless he accepts the option, which should always be afforded in such cases, of resigning. Dismissal or resignation will involve forfeiture of any rights under the Superannuation Acts.

9. Before a decision to re-post, or in the last resort, to dismiss (with resignation as the alternative), is made effective, the Civil Servant's staff association should be afforded an opportunity of suggesting any alternative re-posting that it may think more suitable, or of suggesting a possible re-posting as an alternative to dismissal or resignation.

From the information coming back to the unions one can build a fairly accurate picture of the proceedings. If a civil servant receives a notice that he is within the scope of the security order, he usually consults his union to review the charges and, if necessary, prepare a defense. Union officers often testify as "a friend" before the advisory tribunal. All reports on the tribunal (and, of course, such reports are secondhand and unofficial) depict an informal meeting, not unlike a small gathering of intelligent people "over a cup of tea." Questions from the tribunal are not confined to specific items of evidence but range over the general fields of politics and history. Thus, the tribunal seeks to "feel" its way toward a correct judgment rather than to try to consider the case as a jury. Naturally, this is a delicate

and complex process and its practice is a sign of the Government's faith in the integrity of its servants. The advisory board at present is composed of two retired civil servants and a former T.U.C. official, even though the original proposal called for three retired civil servants.

Summary of Program, 1952

The salient features of the security program follow:

1. The program is designed to affect only possibly "disloyal" people in certain sensitive areas and posts. It is thus limited and directed at specific objectives. At the same time, the program executors are forced to predict "loyalty" and hide specific evidence.
2. The program is confidential and secret. Therefore, although accused people have some difficulty in ascertaining the charges there is no newspaper prejudgment, no "trial by accusation." There is also little opportunity for outside groups to attack the government or individuals except in the vaguest terms. For example, the *Evening Standard* in April 1952 strongly criticized the Government for employing L. C. White, a Communist and general secretary of the Civil Service Clerical Association (which passed a resolution condemning germ warfare in Korea). White was not discharged nor did the issue prove to be a live one. Common Cause, an anti-Communist "ginger" organization, published a pamphlet naming Communist civil servants with little noticeable effect or results.
3. Efforts are made to transfer people determined as "risks." Although this is a hardship on many of those people suspended, due to the special nature of some administrative work, there is no outright denial of the right to a job, either in or out of government service. The reaction of a private employer in such an instance is, of course, difficult to regulate.

All these conditions are open to abuse and even misinterpretation. Furthermore, judgment on the effects and effectiveness of the security program must await an examination of actual incidents and the reactions of the civil servants as a group, especially in the sections heavily scrutinized.

Applications to Public Personnel and Agencies

The ministries most heavily affected were the defense ministries and the Ministry of Supply (in charge of all atomic research*). Although no ministry was declared wholly "sensitive," it is doubtful whether a "purged" civil servant would be allowed to remain in any of these ministries, and certainly he would not be transferred into one, no matter how lowly the position. It is also probable that employees in these ministries were investigated more thoroughly than any others.

The defense ministries are concerned with two security problems—one

* In January 1954 the atomic energy work was detached as an agency and now operates as a government corporation, The Atomic Energy Establishment.

within the ministry offices and one in the armed services themselves. In the latter area some interesting cases arose over recruits who were prosecuted for violation of the Official Secrets Act, but this was not due to the Government's 1948 security program. It is not unusual for politically untrained officers to disagree with the political administrators in Whitehall over the nature of "dangerous" or "disloyal" ideas and this is a problem which dates back almost half a century. In any event, defense ministries have not had a large number of security cases.

Aside from those in the ministries' offices there have been a few cases in Admiralty shipyards or War Office arsenals. These are different in kind from ordinary civil service cases since they involve skilled and unskilled manual laborers. Such people can usually find jobs elsewhere, if necessary; still those people affected were not treated peremptorily but suspended with pay until another position could be found. An illustration of the workings of the conception of responsibility among civil servants here was provided by one Malcolm McGrath, senior armaments officer in the Admiralty's base at Bath. McGrath joined the Communist party after the introduction of the security program. He subsequently reported this fact to his superior and applied for a transfer stating, ". . . My work in the Admiralty in supplying arms for use against the Chinese and the Koreans was incompatible with my views. There was a strong probability that in the near future I should be compelled to assist in the rearmament of Germany and Japan, to which I am bitterly opposed. Therefore I made known my membership of the Communist party to my chief, in fairness to him and to obviate suspicion that there are Communists in defense positions concealing their views so as to assist with subversive activities. From my experience of the Communists this is utterly and completely untrue."²²

If any general statement can be made about the area most heavily affected by the security regulations, it must concentrate on the Ministry of Supply. Since virtually all war production contracts and atomic research orders must pass through the ministry's jurisdiction, one would expect such concern. From all available evidence it can be assumed that every civil servant already employed in a position even remotely attached or accessible to "sensitive" material, along with any newly hired for such positions, is subjected to an intensive investigation. It was in this context that the controversy over the telephone inquiries occurred, perhaps indicating a somewhat loose interpretation of reliable evidence. Most of the people physically affected as a result of the security order of 1948 worked in or for the Ministry of Supply. Most of the people required to complete the questionnaire about membership in or association with Communist or fascist groups were in the same category. The ministry has its own security staff, attached to its personnel department, which aids MI5 in these investigations.

In the government defense industries the policy is less clear. Here we are concerned only with actual government-owned and operated plants and equipment, such as shipyards, arsenals, air bases, or atomic-energy research and manufacturing establishments. The case of industries under government contract, such as aircraft, war vehicles, ammunition, or electronics, will be dealt with under the effects of informal loyalty measures in private industry. Theoretically, one could claim that any worker in any position in such industries could commit sabotage. The implication of such a view is monumental and no government conceivably could attempt to inaugurate a program on such a premise, even if it were operative. This, of course, would mean the investigation of every worker and the transfer of perhaps hundreds of Communist trade-unionists. With skilled labor at a premium in Britain, such a move could seriously hamper the defense effort. Yet it is difficult to determine the precise criteria for suspension, since the officials in the unions involved admit knowledge of Communist workers who have been thus far untouched. What denotes a "dangerous" Communist is one of the elusive criteria in the whole security program. Presumably, critical areas are noted by the minister involved, and only in those jobs are workers transferred, if necessary (i.e., similar to the procedure in the civil service as a whole). The point involved is merely the difficulty in isolating sensitive areas in a shipyard or an arsenal, although this task is an easier one when it concerns atomic energy stations.

Some Social and Psychological Effects

Before examining in detail the activities of the civil service unions and the Whitley Council in the face of the new regulations, it is useful to examine the social and psychological effects of the regulations on the civil servants themselves. Obviously this is an extremely difficult phenomenon to measure in the absence of any organized polls, but certain generalizations can be made from consultations with personnel and from the actions of the officials involved.

To appreciate the problem one must understand the atmosphere surrounding work itself in any civil service agency. Civil servants, as a rule, do not discuss politics on the job, partly as a result of the nonpolitical nature of many of the problems of administration and partly because of the tradition of responsibility above political parties in the service. Among the lower grades of clerks, typists, and maintenance staff, the active interest in politics is as low as in similar positions outside the service. In general, however, even the latter groups are careful not to assume partisan attitudes while on the job. The celebrated case of a one-armed messenger in the Ministry of War was no doubt precipitated by the messenger's practice of selling the *Daily Worker* on the job. The affair received much publicity since the man delivered dispatch cases. It was contended that since these were locked he

had no access to secret material. Ultimately he was transferred to another ministry where presumably he continues to sell the newspapers.

With this background in mind, it is easy to see how no overt reaction to the security program was ascertainable within the establishments themselves. The opposition sentiment was channelled through the unions and the National Council for Civil Liberties. In these groups a solid front was maintained; this will be considered more fully in the discussion of union activities.

It is undeniable that many civil servants felt that a witch-hunt would begin after March 1948. The union resolutions, letters to the newspapers, and the formation of the Civil Service Political Freedom Committee attest to this. Although most civil servants, like most of the population of Britain, were growing aware of the menace of Communists in key positions, many felt that the official security measures were a needless expression of distrust and an invasion of political rights. Furthermore, it was expressed, the Government could transfer civil servants at its pleasure for reasons of security without an official announcement. The extra trouble and work involved would serve to keep the gravity of such measures uppermost in the ministers' minds.

As the security program developed, however, it was evident that only "sensitive" positions were affected. The Government's interpretation of the scope of sensitivity often exceeded that of departmental workers, but such situations did not occur frequently enough to cause concerted, vocal opposition. In ministries and departments clearly outside of the security sphere, such as Food, Treasury, Labor, and Education there were very few incidents of transfer and, indeed, the program's presence was scarcely felt. By the end of 1950 there was little evidence of any further active opposition among civil servants. Moreover, certain people were surprised at the quiet and even lenient administration of the program, especially in view of the renewed pressures for security vigilance after the Klaus Fuchs case disclosures and the disappearance of Bruno Pontecorvo in 1950. It is conceivable that the atomic research center employees were badly shaken by this and renewed investigation efforts ensued.

At this point we might pause to consider the position of scientific workers in the civil service. The people engaged in armaments and atomic research reacted like any group placed in an extremely exposed category. Although political activity was never intensive among such people, it tended to dwindle even further. Evidence of such political caution emerged in the by-election of June 1953 at Abingdon, where many Harwell atomic workers resided. Political canvassers found them reluctant even to express opinions, much less to distribute literature. Scientists also felt that the preoccupation with security would lead to categorizing enormous amounts of research as secret, which would stifle the free exchange of information and results.

The fact that Fuchs appeared so utterly noncontroversial and escaped detection for at least five years (two of which were under the reinforced security regulations) made many scientists doubt the usefulness of the security program altogether.

The civil service and the nation at large were conditioned to the security measures to the extent that few protests were raised over the inception of the security questionnaire in 1952. What was in 1948 an issue live enough to capture the front pages of the newspapers received little publicity in 1952.

Role of the Civil Service Unions

The final aspect of the security program in the civil service, which must be examined in order to grasp the range of developments, is the role of the civil service unions and the staff side of the Whitley Council. Such an investigation reveals important facts.

1. The Government remained in consultation with civil service representatives throughout the crucial initial stages of the security program, although the staff side was not drawn into the preparation of the program.

2. The civil service unions, especially those representing the largest groups (outside of the Post Office), were strongest in their opposition to the program.

3. Although the Government was willing to brook opposition and entertain suggestions for modification of the program, no decisive changes were made by the staff side. In essence, the civil service was at the mercy of the Government on important issues of interpretation. One might say that a witch-hunt was structurally possible, subject only to containment by the advisory tribunal appointed by the Government. Since there was not a witch-hunt, one must assume that this was in a large degree the result of the Government's adherence to a strict construction and translation of its own terms and the prevalence of good sense in the tribunal. This is not to say that a wholesale purge of Communist sympathizers would have been tolerated even if such an attempt had been made. A very active section of the public would have undoubtedly reacted explosively against this, but such a development could not have occurred until after government action. A more stringent program might have been accepted in the confusion of the days following the Czechoslovakian coup, but certainly not three months later when the operative effects of such a program would have been evident.

During the first year of the operation of the program the staff side of the Whitley Council concentrated on three issues arising out of procedure.

1. The refusal to allow an accused civil servant to come before the advisory tribunal accompanied by a trade union representative.

2. The extension of the interpretation of the phrase "vital to the security

of the State" to include the whole of the headquarters offices of the defense departments and the Ministry of Supply.

3. The unspecific nature of the supporting information accompanying charges of activity inimical to the security of the state.

On none of these questions did the staff side receive any degree of satisfaction, although lengthy investigations of the cases involving insufficiency of information occurred on both the staff side and the Government side. After the 1952 changes and the distribution of the security questionnaire, no protest at all emanated from the staff side involving any aspect of the new regulations. The resistance displayed in the Whitley Council was not basic in that it did not cut at the foundations of the program. Yet, even in its confinement to procedural matters, it met with an unyielding Government defense. Such activity on the part of the staff side was different in kind from the reactions exhibited in the civil service unions and it is to this factor we turn now.

The shape of the union opposition has been sketched briefly in a previous section. All but two civil service unions passed resolutions in disagreement with Government policy, and the largest and most influential of the unions were strongest in their stands. This latter group consisted of the Institution of Professional Civil Servants (in whose ranks the majority of "purge" cases fell), the Society of Civil Servants, the Civil Service Clerical Association, and the Civil Service Union. The two unions last named consist mainly of lower-grade clerical, typing, and filing staff, and cleaning, maintenance, and messenger staff, respectively. The general secretaries of the three unions first mentioned were especially active and, within a year of the commencement of the program, formed the Civil Service Political Freedom Committee, which managed to publish two pamphlets stating its case. This case divided into two natural sections: that of initial opposition to the move as unnecessary and of opposition based on the experience of the program after some time.

In 1948 the unions' and the Committee's resistance revolved around the theme of political discrimination and the principles of the traditional separation of politics and other opinions from the act of administration. There were also undertones of fear, that the principle of political suspension in the hands of another government might spread from extirpating Communists in sensitive posts to suspending others of less leftist, although perhaps as unpopular, opinions. After more than a year the attack shifted to an examination of the experience. It was then contended that it was impossible to prove innocence in the face of vague charges. Furthermore, many people who had left the Communist party had been suspended; thus, decisions appeared rather arbitrary on the distinction between possibly dangerous ex-Communists and "safe" ex-Communists. Within the first fourteen months of the program there appeared to be twelve admitted Com-

munists who were affected and forty-odd people altogether. None of these persons was prosecuted under the Official Secrets Acts, which indicated to the unions that actual spies would never be located by the application of this program.

Along with the categorically resolute statements of the civil service unions came similar resolutions from the Association of Scientific Workers and, later, from the Amalgamated Engineering Union. The National Council for Civil Liberties devoted several issues of its periodical to the security program and denounced it roundly. The attack was led by L. C. White, who was not only general secretary of the C.S.C.A., but also chairman of the Council and on the advisory board of the *Daily Worker*. Until 1951 such resolutions remained a part of the civil service unions' annual conventions. After that time little was said, since neither the unions alone nor the unions through the Whitley Council could decisively influence Government policy. In modification of the above description it must be said that the union leaders clearly provided the stimulus for the formation of union opinion. Although the resolutions opposing the security program passed with great majorities, it is doubtful whether individual civil servants and civil service employees felt so extremely hostile to the philosophy, justification, and procedures of the program. As individuals, a great many civil servants adopted a wait-and-see attitude. Without denying at all the democratic procedures of the unions, it is fair to note that convention delegates and executive committees have tended to be somewhat more hostile than average civil service opinion.

The 1948 Government program also set off a series of debates in local government circles and county councils on the whole loyalty issue. Until the middle of 1949 stories of councillors demanding some limitation on local Communist activities abounded in the press. The only concrete programs, however, were adopted in London and Aylesbury. (Other local actions in other fields will be discussed in Chapter Three.) The London County Council, in the spring of 1951, accepted the report of its General Purposes Committee to impose security regulations in all its operations concerning secret material, principally involving civil defense plans. The Committee patterns its suggested procedures directly on the Government model. This act passed virtually unnoticed in 1951 and no information is available on further developments. In 1949 the Aylesbury borough council passed a motion designed to bar, and if necessary remove, all Communists and fascists from key positions among the council's employees. The effects and operative results of this move are not clear. It is very likely that the motion was not enforced, since no further discussion of the action occurred after the case was mentioned in Parliament in May 1949. There is no other restraint of a loyalty or security nature in local government administration.

Regulation of Aliens

The problem of internal security embraces other areas in addition to those concerning the safeguarding of secret information. The regulation of passports and visas and the supervision of aliens is a field in which every government must be vigilant and which predates any concern with Communist or fascist espionage. There is no specific administrative program on these issues and no statutory direction on the exclusion of certain people from residence or from visits to the country. A broad frame of reference is assumed by the Home Office, which is responsible for this area of security, in protecting the population against undesirable entrants. In fact, the problem would never be couched in these terms; rather it is the policy of the Home Office to maintain freedom of entrance for all visitors unless there is a specific reason for excluding them. Until 1950 it was accepted that foreigners would not be excluded unless they were mentally unfit, destitute, or believed to have hostile, criminal, or immoral purposes in their visit. The exclusion of a number of delegates from the Sheffield Peace Congress was justified by the Home Secretary, Mr. James Chuter Ede, in 1950, by stating that such visits would be "likely to hinder the objects the democracies have in view" and perhaps constitute an act "detrimental to the determination of the democracies to meet and resist aggression." The issue arose again in December 1953, when immigration officials refused admission to nine foreign delegates to a conference of "Teachers for Peace," which was considered as too closely linked to the Communist "peace front." Concern over unfriendly and embarrassing propaganda led, then, to the expansion of the exclusion policy. Again, this issue of freedom of entry is permeated by the tradition of a hundred-odd years which has served to keep Britain a refuge for the myriad types of political and social exiles from all over the world.

Yet there is no real pattern to examine in the treatment of aliens and the granting of residence permits. What emerges upon an investigation of incidents are the ramifications of high-level policies during a period of international tension and the manifestations of popular sentiment along similar lines. The Secretary of State for Home Affairs has "prerogative" rights in all matters involving visas or residence-time permits. This means, in practice, that he can keep "undesirable" aliens out of the country. The issuance of passports is more formalized and is handled by the Foreign Office, which cannot prevent people from leaving the country except on specific legal grounds. Sponsorship by the Foreign Office is another matter, and incidents have arisen where attendance at "peace congresses" abroad seemed to provoke a withdrawal of such sponsorship.

The number of cases in which the Home Secretary's prerogative powers have been invoked are relatively few. Much of the confusion arises out of the practices of Russian and East European organizations which participate

in these international conferences. Lists of applicants for visas must be submitted some time in advance to the Home Office for clearance, yet many times these lists are not only withheld until a few days before the conference, but they also contain insufficient information. Thus, the Home Office refusals are publicized as discrimination when they are largely administrative matters. Difficulty also often arises concerning unscheduled visits to Britain. A quick judgment in this case must be made by the individual immigration officer, and this may often result in seemingly arbitrary distinctions.

Complaints arise too out of the inspection of mail. There have been charges that MI5 officers intercept telephone conversations involving possible "undesirable" international meetings, although these accusations would be extremely difficult to prove. The Government does not deny that it examines certain pieces of mail; indeed such power was designated in an act of 1946. In July 1953 Chancellor of the Exchequer R. A. Butler stated in Parliament, "The difficulty which has been experienced is that it is impossible to differentiate between one letter and another. Experience has shown that unfortunately this power is needed because, on occasions, things are found which should not be found in letters."

The result of the prevention of certain visits by people to "peace congresses," certain other visits by people from East European countries, and certain visits involving European Communists seem to indicate that a rule of thumb has been applied by the Home Secretary, probably most earnestly since 1950. This generalization covers all meetings and functions which might tend to be exploited for propaganda purposes by Communist sources. There is no appeal against decisions by the Home Secretary on any grounds except those of tradition and practice. Only Parliamentary questions and debate can establish such complaints, but the strength of public opinion against arbitrary use of prerogative power, especially in the field of political liberty, is a strong barrier to its flagrant misuse.

The regulation of the liberties of aliens is largely routine and involves registration, identification, and information concerning residence. Cases of unfair deportation are practically nonexistent. There is machinery for the revocation of naturalization on the grounds of the abuse of the rights of citizenship. This might pertain in particular to the supplying of routine information about certain citizens to a foreign embassy, and such behavior was, in fact, the essence of one of these rare cases. For such purposes the Home Secretary consults the Deprivation of Citizenship Committee, which recommends decisions on which the Secretary has the final word. This Committee does not investigate; it merely acts as a lay court.

Much of the activity of people interested in the problem of freedom of travel has been to develop an awareness of the difficulties imposed on British subjects who wish to travel abroad. Here the attack has been on U. S. immigration policies in refusing entrance (even in professional capaci-

ties) to British people of left-wing and perhaps Communist affiliations. The Foreign Office has been the recipient of numerous requests for its intercession in this matter, but it can do very little except ask for a reconsideration by the American authorities. It is interesting to note that the colonial governments have the right to refuse people, including British subjects, who, by their own definition, are termed "bad security risks." The British Colonial Office usually respects the decisions of such authorities, although it may have no independent information of such a nature. Twice in the West Indies in 1953 this has occurred. It is generally acknowledged that colonial governments tend to act more rigidly in these matters and often do not attempt to define the terms of the security problem. Thus many non-Communists have been barred from entering certain colonies, and some have been forced to leave (in Kenya and in Central Africa).

Conclusion: Importance of the Administrator

The broad issues concerning the nature of internal security programs will be treated in the last chapter. It is sufficient here to emphasize only one point: the crucial role of the individual administrator in any program of this sort. It is obviously naïve to deny the necessity of special security measures in times as precarious as these—just as naïve as it is dangerous to ask for total elimination of all Communists from the civil service and all other jobs related to defense and government work. To rely on the formal structure of the security procedure, however, would be misleading. The secret nature of the evidence, the investigations, and the bases for decisions militate against public verification of responsible exercise of judgment. Yet the program would undermine its own purposes if it destroyed the secrecy it needs to operate effectively. It is the administrators themselves who must balance the issues, individually and separately in each decision. A democratic society is as democratic as the premises on which it operates and hence as democratic as the people who govern it. Administrators must be aware of their responsibilities to their staff, to the community, to individual citizens, and to the state. Problems of government cannot be solved through schematic diagrams and organizational charts. In Britain the administrator will list mature judgment, good sense, and a sense of moral propriety as necessary attributes for responsible service. The burden of administration naturally grows heavier in cases of security. It is generally felt that the ministers and high level civil servants carried out the terms of the program with a sense of reluctant necessity, which indicates a high regard for the traditions of political neutrality in the service and a respect for the individual rights of the employees.

Therefore, any security program, although its area is defined and it possesses procedural safeguards against patent misinterpretation, will stand or fall on its administrators. A responsible civil service will not permit the

irresponsible execution of any scheme, and certainly not in the case of a program directed inward at its own members. There have been a number of cases where the decisions may appear incorrect. Concern for security produced unrequired individual behavior including instances of a certain timidity toward political activity. Despite these reservations, the final judgment on the administration of the security program is not unfavorable. In its task, the Government defined the goals, circumscribed its area of action, erected a framework for appeal, and lessened its activity when the initial objectives were reached. The greatest number of cases of transfers and suspensions occurred in the three years following the introduction of the program. The past two years have produced little new action, and only two cases as a result of the security questionnaire of March 1952. Every effort was made to find new positions of similar rank and salary within the service for the suspended people and, perhaps most important, the operation of the program did not take the form of an exhibition or competition, but it remained confidential as to names and positions.

In all, the British security program demonstrates an efficient and responsible approach to the problem. As a Briton might say, "it's the best of a nasty business." This was aptly summarized by Lord Chief Justice Alfred Denning in his book, *Freedom under the Law*:

It would be quite easy here, would it not, to find reasons for interning all communists and fellow-travellers. It could be said with force that they are such an insidious danger to our way of life that we cannot risk leaving them at large. We have not, however, gone so far as that. We have not deprived them of their liberty but only of access to military secrets. Whether it will in time become necessary to fight them with their own weapons I do not know, but I sincerely hope not. Freedom must be true to itself or it will perish.²³

chapter three

The Impact on Education

Education in all countries is vulnerable to a variety of social pressures and is characterized by highly subjective judgments concerning personnel and what is to be taught. However, the British public has never been encouraged to display interest in the precise nature or content of the teaching in either schools or universities.

The University in British Life

Mass education is a comparatively recent development in Britain and, although the number of people who now go on from secondary schools to universities has risen considerably since 1945, the over-all percentage is not as great as in the United States. There are few active parent-teacher associations, and the universities are spared both the blessing and the inhibitions provided by active alumni associations. Nor do the universities have to be concerned with the pressures generated by legislative control of the purse strings. Pressures growing out of casual connections with schools or universities cannot, therefore, become acute. The universities have also maintained great independence as a result of the liberal and humanistic concept of education. Only recently have technical and business curricula been considered a proper part of higher education. The universities to a significant degree have remained islands of autonomous development in the society. Free exchange of ideas has remained a living concept in British universities, initially as a legacy of the responsible aristocracy from which the majority of students were drawn for centuries. Students secure in their status and incomes could explore a wide range of political and historical controversies free of any concern except for "truth." The prestige and status awarded university faculties served to draw the ablest intellects into education and thus maintain a high level of instruction, as well as grant a wider hearing to the ideas of professors outside the academic field. The universities staffed the social bureaucracy. They provided the administrative-class civil servants, the members of cabinets and Parliament, the leaders of church and army, and, to a lesser extent, the business leaders. The tradition of a liberal education remained a strong influence in governing circles, which for centuries

were composed of an elite of Oxford and Cambridge graduates. Philosophical protest in a significant manner emanated from the universities. Indeed, both Oxford and Cambridge were founded in protest against methods and restrictions: Oxford against Paris, and Cambridge against Oxford. The mere fact of time and experience served to dampen any hysterical fears of ideas, since British universities have survived many critical ideological conflicts, both within their ranks and against the community: the religious conflicts, the struggle over supremacy of the Crown, the colonial and imperial controversies, and conflicts of social philosophy dating back to the early nineteenth century. Inescapably the current issues of Communism and subversion are thrust into a broad historical perspective. A great segment of the tradition of freedom of speech and ideas centers on the universities. The British governing classes have always felt, in varying degrees during different periods in history, that there was no better testing ground for ideas than in the sheltered confines of the lecture hall or the tutorial.

Academic Man—Freedom, Competence, Responsibility

The concept of responsibility among the political and administrative elite evoked a reciprocal feeling of faith from those who were in contact with this elite, and were actually a branch of the same elite. That one might harbor doubts over the honesty or competence of a professor or lecturer becomes a serious indictment reflecting on the intellectual honesty and judgment of his colleagues, the university, and, in effect, of the ruling class itself. The professional pride of teachers is high, certainly a reflection of their community prestige as well as of the high standards of appointment. As a vanguard group in the stimulation of scholarship and the preservation of free discussion, university circles attempt to sustain academic standards, clearly defining the grounds for appointment and dismissal as resting on intellectual merit alone. Professional competence is the only tolerated area of dispute concerning the qualities of a teacher. This has diffused into the outside community as well, and the incidents arising as exceptions to this declared standard and unwritten rule have aroused condemnation from most adherents of all political parties.

As autonomous as the universities are, they are not completely free from many of the prejudices which permeate the outside community. There is no doubt that university governing bodies and faculties tend to be somewhat cautious in their political views. In all the ideological conflicts the views of the dominant class in society tend to be dominant in the universities as well. But the significant controversies over freedom of speech and censorship were fought out from the late seventeenth century to the early nineteenth century. By the middle of the twentieth century no one in a university could openly advocate the suppression of ideas, because the principle of nonconformity had been accepted in the society at large. This

crystallization of tolerance in the abstract, however, did not restrain appointment committees from preventing nonconformists or left-wingers from securing posts in universities. Of course, this is impossible to establish conclusively, since voting in such matters is secret and the discussions confidential. Yet the late entry of socialist and heretic teachers into university or school staffs is not evidence of their lack of qualification, but an indication of their unpopularity and unacceptability in academic polite society and a testimony to the inventiveness of scholars.

As a rule, candidates for university posts are not asked their political opinions. However, left-wing people are known and could easily be refused positions on grounds known only to members of the interviewing committee. The tradition is against this kind of discrimination, and at the two leading universities there is a pride in intellectual integrity and objectivity which tends to set the tone and standard for others. A prominent Oxford professor, long active in the Labour party and in socialist circles, recounts the tale of his own interview on applying for his first post at Oxford. The interviewing board of the college concerned did not dispute his qualifications, but they did ask him to refrain from his leftist activities. The professor refused and departed, certain of his failure to receive the appointment. Nevertheless, he was given the position, perhaps a triumph of the academic principles of the college over the board's political prejudices. Subsequently, the same professor was active in influencing the employees of the University Press to join the general strike of 1926. Although members of the faculty and the public strongly disapproved his activity, the university defended him.

Difficult as it was until the 1930's for the unorthodox to obtain academic appointments, once a man was hired the institution would defend him from outside attacks. This tradition has been established for over a century and it prevails today with very few exceptions, which provoke great public discussion. The economic distress of the 1930's eroded many prejudices against left-wing groups, and the success of the Labour party in 1945 eliminated any vestige of suspicion from the minds of most school and university hiring committees. There remain as exceptions the public schools and the church trust schools, which are reputed to display strong Tory tendencies in all appointment considerations. The contemporary respectability of socialist ideas reduces the possibility of attack on views that might once have been deemed subversive. Today, largely because of international implications, only admitted Communists provide a ready target. But the problem is rarely approached in this manner. The only acceptable standard is professional competence, and at Oxford and Cambridge the very few Communist professors are accepted as competent authorities in their special fields. Except for a brief period from 1948 to 1950, people of all political views accepted the activity of teachers outside the classroom as an issue

to be decided on its own merits in individual instances. Communist professors appear on the B.B.C. and lecture on their subjects elsewhere without protest. In the spring of 1953 Marxist historian Christopher Hill appeared on the B.B.C. to discuss the Barebones Parliament of 1653—not currently, perhaps, a burningly controversial subject. Even after 1948 little impetus could be summoned for proposals that Communist teachers are subversive by definition. The problem has not been confused in this manner. Attempts to influence students and participation in political activity have remained separate issues. The basis for attack is narrowed further by the general agreement that the discussion of Marxism and Communism is a healthy and essential enterprise in universities. Indoctrination is not conceived to be a substitute for education. Thus, critics are forced to meet the educator on the latter's own ground: the competence of the teacher as determined by his professional peers.

The attitudes of groups with opinions on this matter vary in degree within the narrow range indicated. Faculties tend to take the most liberal position. The burden of proof is on the critics, and there is a fiercely independent tradition of professional independence.

The administrators of schools and universities and the governing boards tend toward a similar view, modified by the delicate nature of their positions between the faculty and the public. Some administrators in secondary schools and provincial universities are more responsive to the vicissitudes of that amorphous force, public opinion. As such, they might be swayed, in some cases, from the purely professional outlook; and this has occurred in a few instances concerning the dismissal of Communist teachers.

The attitude of the general public is very difficult to gauge. An indication of perhaps intelligent unconcern might be gathered from the poor reception given to certain scattered suggestions in Parliament about investigations and dismissal of Communist teachers. These proposals, like those concerning Communists in the civil service, emanated from the same small fringe group which continuously interjects the "Red Menace" into Parliamentary debates, and from similar sources outside. These interjections are habitually treated rather peremptorily by the public and by the Government (both Conservative and Labour), which has been careful, through the Minister of Education, to demonstrate its refusal to invade the capacities of counties, schools, and universities on this and other issues in education.

Communist Influence in the Schools

The whole question of Communists in education has proved to be noninflammable in Britain. Although the confusion surrounding the effects of the Czechoslovakian coup allowed the extremist anti-Communist element to proclaim vociferously the need for new, decisive precautions, surprisingly little was suggested for education. One of the bitterest attacks on Com-

munists in schools came in the autumn of 1949 during the Conference of The Conservative and Unionist Teachers Association when Lord Woolton denounced both the Communists and the socialists in the teaching profession as dangerous influences on the minds of the young. The fact that Communists and socialists were treated alike initiated strong suspicions that the speech was directed more to the Labour party in power than to the teachers and administrators present. In 1950 Lord Vansittart made his famous speech condemning Communist infiltration in the civil service, in defense, in the B.B.C., in education, and in the Church, but this was parried on all counts by other members of the House of Lords. No concrete step was taken by any group until October 1950, when the Middlesex County Council invoked a political test for new head-teachers. This will be discussed at length below.

The effect of the Middlesex action was violent in both favorable and unfavorable quarters. A number of other county councils debated the precedent erected by Middlesex and newspapers displayed editorial comments, mostly opposed to the move. The net result left Middlesex isolated on the issue, where the council remains today. Other instances of political tests also will be discussed below.

A few criticisms have been made in the choice of textbooks. Thus, for example, Major Tufton Beamish, M. P., in the House of Commons criticized the use of a book called *Life in the USSR*. Miss Katherine Atholl of the British League for European Freedom and Lord Vansittart also criticized pamphlets published by the Bureau of Current Affairs. Nothing came of these incidents. Textbooks remain entirely a matter for local consideration. The usual procedure is for each headmaster to submit a list of the books desired to the county or borough education officer. This list is rarely questioned and if it is queried the process is totally informal. Money for books comes partly from the Government, through the education committee of the county or borough council, but this allocation has never been a political issue. The procedure for library books is the same as for textbooks.

No discussion of Communism as an issue in the schools and universities would be complete without some mention of the students concerned. In the 1930's student interest in left-wing political organizations was at its height. During the Spanish Civil War many Communist and otherwise sympathetic students volunteered for the Loyalist armies and a number of them were killed. By 1938 student organizations were thoroughly permeated by a leftist political spirit. The immediate prewar days were characterized by pacifism, Communism, frustration, fear, and disillusionment among the university group as a whole, and national student organizations manifested this confusion. At the end of the war the National Union of Students and separate university student groups generally mirrored the popular national feeling of sympathy and admiration for Russian sacrifices

in the war. Consequently, the active left-wing students were not unfavorably regarded when they achieved important positions in student associations. Opinion stiffened, however, after the Czech coup. In 1948 the National Association of Labour Student Organizations seceded from the Student Labour Federation, charging Communist obstruction and abuse, and led a bitter electoral struggle to wrest power from the Communist students in the N.U.S. The N.A.L.S.O. group won its fight in 1949 and sustains its control to this day when there are no Communists on the executive council. The socialist group in power in N.U.S. today is firmly convinced of the unreliability and deceitfulness of the Communist student leaders who take information from the N.U.S. meetings to the Young Communist League and the Communist party. The N.U.S. also led a withdrawal of other European national student organizations from the International Union of Students in 1951 and 1952, after the I.U.S., led by the Eastern European student unions, used the international meetings as propaganda outlets for Russia. Discussion and action on Communists in schools largely has been confined to student affairs, although the N.U.S. executive council in 1950 resolved opposition to discrimination on political grounds in the appointment of teachers. As a rule the N.U.S. functions along lines similar to a student trade union, looking after its constituents, protecting and enlarging student privileges, and endeavoring to refrain from wholly political matters. A general political apathy among students all over Britain since 1951 prevents any useful guesses on how deeply students feel about the Communist issue in national life. Student leaders have found the student bodies largely unaffected by the security or loyalty issue, except perhaps to demonstrate approval of the security measures in the government and disapproval of any other similar attempts in other fields.

The Middlesex Case

By all odds the most important case of a political test for the appointment of teachers occurred in Middlesex, as noted above. It must be appreciated that all secondary education in Britain is highly decentralized and thus wholly controlled by the county and borough councils. These councils can make their own rules for the governing of their schools without violating any law or agreement. Moreover, public protest has a narrow avenue of opposition, except inside the county or borough, although the National Union of Teachers represents a fairly strong front on all matters affecting teachers. Only the vague appeal to public opinion can be made outside county and professional groups.

The Middlesex ban represents the growth of theory out of action, a phenomenon which has come to be accepted as "thoroughly British." Only when faced with the possibility of appointing a known and active Communist, Mr. Reginald Neal of Yeading Primary School, to the post of

headmaster did the council, upon recommendation by its education committee, act in imposing a rule barring Communists and fascists or those "associated with either of them in such a way as to raise doubts in the opinion of the Education Committee . . . about their reliability. . . ." Thus, after refusing to appoint a teacher who was recommended by his headmaster and who was undeniably qualified by examination to a headmastership, the council decided to enact a general rule on the matter. This action in October 1950 immediately drew a strong protest from the N.C.C.L. and the N.U.T., where the motion passed with but two dissenting votes. Even the Conservative Minister of Education, Miss Florence Horsbrough, agreed with this sentiment in response to a question in Parliament in November 1951: ". . . I deprecate the Middlesex authority's decision to take account of the political views of applicants for teaching posts. . . ." The neighboring counties of Essex and Surrey debated the same issue rather vigorously. The London County Council in September 1950 had been involved in a furor over a girl student's appearance at a meeting of the British Peace Society with a petition signed by a number of the students in her school in London, and the Middlesex action induced rumors of a similar step in London. The L.C.C.'s action, concerning propaganda inside the schools, however, came out of two meetings, in September 1950, between the education officer and the teachers, and it consisted of an order forbidding the introduction of any outside materials of such a nature. The obvious difference in approach in those councils which did discuss the precedent of the Middlesex ban stems from their political composition. Middlesex has a heavy Conservative majority, while London has a Labour advantage. On a local level the Conservative councillors tended to take a somewhat extreme position, probably to embarrass the Labour members, and hence the national Labour Government. In Middlesex two aldermen made rather irresponsible charges about the N.U.T. executive being infiltrated by Communists and the Labour representatives on the Middlesex Council being "the same" as Communists.

In Middlesex there was never any question of security measures or any real attempt to enlarge the action into an initial drive in a general anti-Communist crusade. The ban concerns only head-teachers and places no restrictions on the activities of any other teacher. There is now one very active Communist headmaster of long standing in Middlesex, Mr. G. C. T. Giles, and, although academic life has been rather uncomfortable for him, there is no way he can be discharged without a major upheaval. The activities of this headmaster and the impossibility of firing him had much to do with the Council's decision to prevent any further annoyance of this nature.

Procedure in the consideration of new applicants for headmasterships consists of a written inquiry from the education committee asking whether the applicant comes under the ruling. If the applicant says he does not,

then he is interviewed; if he admits party membership, he is ineligible for further action; and if he admits association with certain "front" groups, past or present, he may be interviewed to determine whether any doubts arise in the minds of the committee members. The reaction among teachers virtually has been unanimous in denunciation of the rule. The N.U.T. states that twelve to fifteen teachers have consulted them over difficulties in regard to the matter, while the education committee in Middlesex claims that perhaps four or five have refused to sign the preinterview statement. Opinion also differs on the number of teachers who may abstain from application because of the ban.

While under fire from all sides, including the Conservative and unionist teachers, the education committee steadfastly refused to rescind its ruling, and, in fact, reaffirmed it in March 1953. The council finds itself with no logical ground on which to stand, since it has not proven any abuse of the teacher's professional capacity in the county, nor has it extended the ban to include the teachers who do the actual teaching. The claim that the head-teacher's conduct sets an example for his pupils is flimsy and unproved. Moreover, the Middlesex rule does not prevent prospective head-teachers from lying about their past activities and, in fact, may induce some to do so, nor does it prevent head-teachers from joining Communist groups after appointment. All the evidence on the Middlesex ban points to a very confused, *ad hoc* approach, which has served only to stir up irrelevant controversy on a danger, which is at worst, a remote one. This lesson has been noted by other county councils.

The L.C.C. case, which has been alluded to, generated some wild statements in March 1950, when the peace petition story appeared in the newspapers. Using rather deceptive methods to obtain photographs, a London Sunday paper spread the story and pictures over a whole page under headlines like "THIS GIRL SPEAKS FOR RUSSIA." Other newspapers followed with charges of Communist teachers influencing L.C.C. school children into signing peace petitions and caused a question in Parliament in July of the same year. The results of the reaction within the L.C.C. have been mentioned. In issuing its statement on propaganda in schools, the education committee of the council repudiated, very emphatically, any notions of another general ban because of political views. This did not prevent numerous clergymen and Conservative M. P. Alport from calling for a general purge of all Communists in schools. Such extremist views merely diluted a vicious attack on Communism in education, which equated Communist teachers with international murder and appeared in a national weekly magazine and a Sunday newspaper. Other than the Middlesex ban, the only concrete act on this issue came in November 1950 in Epsom, Surrey, where the Communist party was barred from collecting any money in school buildings.

The Case of Andrew Rothstein

The other major incident, besides the Middlesex action, concerning teaching and Communism was the dismissal of Andrew Rothstein, formerly the London director of Tass, a lecturer since 1947 in the School of Slavonic and Eastern Studies of the University of London. The technical points involving the terms of Rothstein's appointment at London are not important for purposes of this discussion. What are relevant are the issues raised by the case. There is no question that the university had the right to terminate Rothstein's appointment, since his contract had expired. The grounds, however, for such a move traditionally have been conduct unbecoming or detrimental to the profession, or simply inadequate scholarship. In Rothstein's case there was a reasonable difference of expert opinion on the scholarly nature of his work. The case has gone through a maze of intra-university technical details since the announcement of the action in the summer of 1950 and has not been finally decided yet. The fact that a great many London students outside the "fellow-traveller" cliques were doubtful of the motives in the case suggests that perhaps there is some truth to the charge that political bias was a factor.

A great deal of discussion and protest followed the announcement by the university which shattered the customary unanimity of the profession on the issue of academic freedom. The Rothstein action crystallized the complaints by many professors about the growing tendency to apply unofficial political tests in the profession. Most vehement were the charges against people who supply testimonials in glowing terms only to attach riders stating the candidate is a Communist or a left-wing sympathizer. On the other hand, a smaller group of professors decried the whole furor over Communist teachers as serving to protect actually incompetent teachers who invoke the delicate issue of political discrimination in order to keep a job. Another interesting twist to remarks on the problem of unofficial political tests was the comment that the government may have begun viewing the teaching of Russian politics and allied subjects as a training school for potential intelligence agents rather than as a field of objective research, thus taking a great interest in the teaching personnel in such fields.

Although some people claim that the dismissal of Communist teachers is becoming increasingly common, the evidence to support this position is lacking. Admittedly, it is next to impossible for a practicing Communist to secure a post in the field of Russian politics and policy. This is as much due to the monolithic dogmas of an honest Communist as it is due to the prejudices of appointment boards. It is not true, however, that Communists cannot achieve posts in universities in other fields, although this is certainly open to argument. At Oxford, for instance, there are professors of history and of literature who are known Communists but whose work could be

thought slanted only by ignoramuses or fanatics. There is practically no evidence at all which indicates that universities discriminate against former Communists.

The National Union of Teachers

Thus far the role of the National Union of Teachers has not been treated. The N.U.T. at the end of the war was regarded as a leftist union and had five Communist party members on its executive council. At one annual Communist party conference one of these five boasted that there were two thousand Communists teaching in Britain. He has since admitted privately that that was probably an overestimation, or at least not an official count. There had never been any attempt in the N.U.T. to question the political background of the union officials; however, the general, pronounced anti-Communist feeling in 1948 manifested itself also in a concerted effort by members of the N.U.T. to oust its Communist executives. This was accomplished in that year. The union has continued to take strong stands on all issues concerning academic freedom and has fought the Middlesex ban from the outset. N.U.T. conferences have passed unanimous resolutions condemning the ban and, in February 1953, sent a deputation to the Middlesex Education Committee to ask for its dissolution. The core of the position of the N.U.T. at that time was the principle that politics or individual outside activities of any kind should not be introduced into the classroom, but, if the evidence of any attempt to propagate Communism among students was apparent, then the N.U.T. would support the Middlesex council in driving out such attempts. If, however, there was no such evidence, then there was no reason to inquire into a prospective headmaster's views. This view was supported by general arguments on the impossibility of the prediction of behavior, the practical uselessness of such a ban except in uniting opposition and frightening teachers, the possibility of gaining information on the activities of teachers (if such information was necessary at all) by means other than a questionnaire, and the failure of any other county council to adopt the procedure, thus keeping Middlesex the only county in Britain to take such extreme action.

The N.U.T. has continued protestations in the Middlesex action and pursued a vigilant policy in guarding the rights of teachers. The lively active interest displayed by the profession from 1948 to 1950 in these issues has since somewhat subsided. Furthermore, as was suggested in the Rothstein case, many teachers have begun to suspect some colleagues who claim political persecution in trying to escape dismissal on grounds of incompetence by creating false issues and stirring up public sympathy. Until today, however, there has been no case of the firing of a teacher purely and simply on the grounds that he is a Communist. Legally, there is nothing a solicitor could do if such an event did occur at the termination of a contract.

It must be emphasized here that there is no legal principle or unity of rules in the appointment of teachers. Each local authority develops its own rules and techniques.

Another organization of teachers interested in these issues is the Association of University Teachers, which, as the name indicates, limits its activity to universities. The A.U.T. is not as militant as the N.U.T., partly because of the traditional individualist attitude of professors and partly because it has less to do. The official opinion of the A.U.T. is worth quoting in full as an example of clear thought, concise language and forthright action.

Resolution adopted by the Council at its meeting on December 14th, 1934, and reaffirmed on May 28th, 1948:

The A.U.T. affirms the right of university teachers to the full exercise of their functions and privileges as citizens. It maintains that the public expression of opinion, within the limits of the law, on controversial matters, is in no way incompatible with the position and responsibilities of a university teacher, it being understood that such expression of opinion is personal and does not commit the Institution to which he belongs.

The A.U.T. recognizes that a special responsibility rests on a University teacher to weigh his words carefully when making public pronouncements. But the application of this principle in particular cases must, in the final resort, be left to the judgement of the individual concerned, and the A.U.T. would resist any attempt by university authorities or by outside bodies to impose restrictions on such expression of opinion.

A third teachers' organization is the Association of Teachers in Colleges and Departments of Education, which consists, for the most part, of teachers and instructors in the teacher training schools. There have been no incidents which might have pressed the A.T.C.D.E. to take any formal stand on the issue of Communism and education. It is known unofficially, however, that any move for loyalty procedures would be vigorously resisted.

Conclusion: No Issue

In summarizing the situation, one might regard the issue of Communism in the schools in Britain as a minor question or perhaps not a problem at all. The attempts to ignite public opinion have, of course, increased since 1948. Perhaps the strangest statement came in the disclosures of Bob Darke, a former Communist borough councillor in Hackney (London), in his book *Cockney Communist*.

He states:

The Communist party welcomes school teachers into its ranks, and we had several in Hackney. So far as my knowledge goes they were never instructed to colour their teaching with open Communist propaganda, although I have known one or two reckless enough to do it.

Their work for the party must be more subtle. They buy *The Worker*, of

course, and are under obligation to sell it among their colleagues. They must interest the non-Communist staff of the schools in the Peace Campaign, in the party's policy on education, in cultural links with Iron Curtain countries.

They must play as active a part as possible in the National Union of Teachers but their primary instruction is to be on the best terms possible with their pupils, to take them swimming, to football, to organize clubs and social activities outside the schools.

. . . A child who likes his teacher and knows that he or she is a Communist makes a ready recruit for the Young Communist League.²⁴

If this is true, then Communist teachers probably set an example in interest and devotion to their work. This is hardly a clarion call to clear the Communists from the schools. Moreover, action on Darke's information would entail suppressing all energetic activity by teachers outside of school, since such work might influence student opinions. Once on this track the proposer enters the realm of fantasy.

The basic principles have thus far remained unsullied by the frantic cries of crusaders. Responsible people in the academic field oppose the injection of biases of any kind into the classroom. Any counteraction, in any case, must take the form of proof of academic inefficiency or of incompetence. Furthermore, the discussion of Communism is not regarded with mistrust and apprehension. Naturally, more discretion must be used in secondary schools than in universities, merely because of the lower age-groups concerned. But such discussion is encouraged in the universities, exhibiting a refreshing faith in the ability of students to make their own intellectual decisions. This whole problem of handling controversial subjects is relegated to the individual judgment of each teacher. There is a striking resemblance to the code of the civil service on this point. Teachers, like other professionals, upon entering their field, enter a tacit agreement of mutual trust with their superiors and with the community. They are bound to uphold certain standards of behavior, scholarship, and service, and in return they receive the faith of the university or school and the public at large.

An editorial in the *Manchester Guardian* of December 5, 1950, epitomizes prevailing opinion on the teaching of Marxism. Manchester University in the winter of 1950-1951 provided lecturers to the Workers Education Association evening course in modern history in the town of Colne, near Manchester. The Colne Education Committee protested one lecture on the *Communist Manifesto*, to which the *Guardian* replied with irony:

Colne's civil leaders are to be complimented on their vigilance. It is only 103 years since that terrible pair, Marx and Engels, wrote their "manifesto." It would be shocking if the innocent students of Colne should now be told of its existence, and even worse if, in lectures on modern history, they should hear anything of the consequences that followed from that diabolical work. For if they are told of the "Communist Manifesto" they might want to be told of the growth of Marxian Socialism, of the Russian Revolution, of the Adaptation

of Marx by Lenin and Stalin. In short, they might discover that there is such a thing as Russian Communism in the world. This would never do. Let us keep our history pure and let us dodge unpleasant facts. There was always a lot to be said for letting history stop at 1815, if not 1689. The W.E.A. must be careful.

chapter four

The Labour Movement—Key Battleground

Strictly speaking, the informal and formal “loyalty” measures adopted in the Labour movement against Communists are not a problem in internal security. It is quite obvious that any organization, political, labor, social, or cultural, has the right to circumscribe its membership. When the organization aspires to political power, such as a party or the trades-union group, the question takes on a quasi-public interest. The issue, however, remains largely internal and reflects on the activities of segments of the population only in a limited way. The issue of security conceivably could be raised in connection with a political party and its affiliates when the party assumes positions of national power and hence national responsibility. But this is to speculate rather than analyze, since problems of loyalty in this area have been attacked on internal organizational lines rather than on the national level.

Opposition to Communism

The opposition to Communism within the Labour movement is significant in the consideration of loyalty and security policies in Britain because it demonstrates a continuous concern with the naked facts of the Communist attempt to gain power in mass organizations. Since the 1920's the three main components of the Labour movement—the Labour party, the trade unions, and the cooperatives—have faced similar issues separately. As part of the Labour Government, however, they faced them collectively by establishing the security program. Certainly the three groups named did not have to consider national responsibilities when they acted alone and outside the Government. Then the solution was both less crucial and more sweeping. This is only a superficial paradox: the problem was crucial to the life of the organizations, but not to the life of the nation.

A word about “loyalty” as a concept: the term has little meaning in this context unless one realizes that it is largely employed in a narrow sense. Although some members of the Labour movement feel that Communists are not loyal British citizens, or are at least potentially disloyal to the broad aims and objectives of the British nation, this is not the central point of

contention. The advocates of total anti-Communist measures are concerned with mere loyalty to the aims and principles of the organization—the Labour party, the Trade Union Congress, or the Co-operative party. The issues begin with the problem of a disruptive trade unionist or an untrustworthy party worker, and grow generalized when the leaders of the organization have decided that the Communists as a group are dedicated to such activities. The panoply of bloodthirsty epithets which accompany anti-Communist campaigns are important as propaganda techniques in dramatizing the issue, but the “international menace” appeal would never win over the bulk of the rank and file in the Labour movement unless the actual evidence was provided to demonstrate the obstructionist, deceptive, and even illegitimate tactics of most of the Communist members within the organization. As the *London Times* (February 10, 1948) labor correspondent emphasizes, “good reasons are needed to justify the attempt to remove from office so many men who are admittedly among the most active and industrious of trade unionists, and to provoke and intensify political conflict in many unions; and the reasons given must be carefully examined.”

If the movement had a collective voice, it would not speak of the Communist as a disloyal citizen, *qua* citizen. It is not competent to judge, nor is it incumbent upon the movement to express such a view. The Labour movement recognizes the right of the Communist party and individual Communists to engage in any legal activities of their own and, in fact, hesitates even more than most groups in condemning the activities of Communists, for the individual memories of Labour supporters remain filled with bitter experiences of political and social persecution. The notion still lingers in many Labour circles that Labour’s task is eliminating or controlling capitalism, and that, after all, is basically what the Communists strive for, too. Such a view, however, is confined to a segment of the movement which is growing smaller.

Examination of the Labour movement’s measures in opposition to Communism also will help elucidate the area in which the Communists have always struggled in Britain, and thus delineate the important tactics the Communists have employed. Practical anti-Communist steps are not new to people in the Labour party and its affiliates, and it was a Labour Government which did introduce the national security program in the civil service. Many people contend that such open restrictions come easier to the Labour party than they might have come to the Conservative party.

In this investigation we will first separate the Labour movement into the three segments mentioned and review the experiences of each. Although the people concerned tend to view social and political matters in a similar light, the policies pursued by the organizations are different in important respects.

The Trade Unions—A Prime Target

Certainly the main target of Communist policy in Britain has been the trade unions. Such a conclusion can be drawn merely from an acquaintance with Communist doctrine, which portrays the Communist party as the vanguard of the working class. Since most workers cannot, or simply do not, believe this, it is the job of the Communist trade unionist to demonstrate his zealous anti-capitalist activity through first taking the lead in agitation, in widening the scope of trade union gains for the workers, and then actually directing union groups upon gaining elective offices in the union. This technique has been a constant factor in Communist activity. The method of attack within the trade-union movement has been subject to a number of technical variations since the early 1920's, depending on the contemporary Soviet strategy. Thus, the Communists will at times concentrate on fomenting strikes; then they will cooperate with union officials; later they will endeavor to seize power within unions through elections. But the objective has remained the same: the control of the trade-union movement. This aim, of course, proved less likely to succeed as time went on, and the tactic seemed to shift to controlling the key unions in important industries.

Communists were very active in the fight for recognition of trade unions in Britain. The early optimism in the Labour movement over the achievements of the Russian Revolution caused trade-union groups to embrace the Communists in the battle against the common enemy, capitalism. During the general strike of 1926 Communists were eager martyrs in the service of the working class. The motives of the Communists are not significant here. To the trade unions, locked in a basic struggle to achieve power in Britain, all allies were welcome. Even on the political level, the Communists in the mid-1930's were among the first people to admonish the government on the dangers of fascism. To the workers it certainly appeared that British leadership, in cooperation with Western capitalist leadership, was "selling out" not only Russia, a socialist state, but all the labor groups in Europe, by appeasing Hitler. During the disillusioning period between 1939 and 1941, when the Communists reversed their official attitude to Hitler, most workers rebelled against the obvious distortions Communist leaders tried to emphasize, such as the charge that Britain and Germany were involved in an imperialist war. But the fanatic energy which the Communists displayed in Britain after Russia entered the war was more than enough to convince most people that perhaps Russia and the Communist party "are not so bad after all."

Responses of Three Major Union Groups

Here we must divide the context of the story. The attitudes and reactions of the trade unions to Communism can best be investigated through an

analysis of the three major trade union groups: the Trades Union Congress, the General Unions, and, for want of a better category, the other unions. The T.U.C. is the political and economic voice of the trade union movement and, since voting follows a simple procedure of counting heads, the Congress is dominated by the two huge general unions, accounting for about two million members.

The attitudes of the leadership of both these groups are similar, but action affecting membership by the T.U.C. is only advisory, defined by its function as a voluntary affiliation of autonomous unions. Thus, the T.U.C. can recommend certain anti-Communist measures; only the unions can enact them. The T.U.C. does control, however, the various trades councils, which are in effect miniature T.U.C.'s, in every major area of Britain, through the Trades Councils Joint Consultative Committee. In this field the T.U.C. has taken drastic steps, which will be described below. The other unions are hardly a "group" since they range from the conservative Weavers Union to the radical Electrical Trades Union, with eight Communists on its eleven-man executive committee.

As early as 1929 the T.U.C. at its annual conference warned the unions of the obstructive strategy of the Communists. The contemporary tactic was that of urging the workers' units to split from the parent unions and form a Red International of labor unions. When the Communists adopted the Popular Front in 1934 the T.U.C. circulated to all its member unions and trades councils a list which recorded all groups adjudged as Communist or Communist-dominated. The T.U.C. advised its constituents to refrain from associating with these groups. The "black circular" was not very successful since many unions and trades councils disregarded it and, in fact, openly appeared as sponsors of various functions in association with Communist organizations. The circular was liquidated in 1943 when the outright cooperation of the Communists in the war effort made such a document appear as a divisive instrument during times when national unity was imperative.

As soon as the postwar "honeymoon" ended, however, the T.U.C. commenced a campaign to re-educate the unions. This effort snowballed from the publication of pamphlets into the establishment of a completely new London Trades Council to eliminate the Communists there. The years 1948-1950 saw great disturbances in the annual congresses themselves, over the Communist issue. In 1949 speeches by the civil service unions against the security "purge" were vigorously countered by members of the T.U.C. general council. At the same meeting the left-wing unions attacked the T.U.C. pamphlets *Defend Democracy* and *The Tactics of Disruption*, and labelled the publications as part of "a witch-hunt." The biggest battle occurred in the 1950 congress when a resolution banning the use and manufacture of the atomic bomb was opposed by attacking the proposers. Arthur

Deakin, general secretary of the mammoth Transport and General Workers Union, led the onslaught in an address to the Congress:

I say you have a duty to do, to take a stand against the attempts of Red Fascism to dominate and dictate, to subject the world to the foul and filthy philosophy of Communism.

But even before the 1950 congress the general council had decided that no Communist party member, or a representative of a breakaway union, or a member of any other proscribed body, i.e., subsidiaries or “fronts” of the Communist party, would be allowed to attend the annual conference of the trades councils.

This move was the climax of the T.U.C. move to duplicate its proscribed organizations circular of 1934–1943 without actually publishing a list. In this way the T.U.C. general council put the onus of action on the local trades council. If the executive of such a council was in doubt about supporting a certain organization, it could communicate with the general council and ask whether the doubtful organization fell within the category of a proscribed group. These groups were described as associations tending to lead to bad trade-union practice, and were defined as breakaway unions, the Communist or a fascist party, and subsidiary organizations of these parties. No full-scale operation on these lines took place until 1952, when the T.U.C. leaders decided to end the embarrassment caused them by the London Trades Council. The executive committee of this council was notoriously and radically leftist in its views and actions. To remedy this situation the T.U.C. promulgated an ultimatum that all London borough trades councils which wished to remain recognized by the T.U.C. had to join a new London Association of Trade Councils by November 1952. Twenty-four out of forty-nine did so, and new councils were formed in the other twenty-five boroughs to make up the association. In one swoop the T.U.C. eliminated its leading Communist encumbrance, although a rump London Trades Council still functions alongside the London Association.

The response to the T.U.C. education and propaganda campaign consisted more in influencing opinion among the union members than in initiating action in the unions. Only one affiliated union, the Civil Service Union, requested the withdrawal of *Defend Democracy*, which consisted of two policy statements by the general council. Eight editions of the piece were distributed. Evidently the objectives of the T.U.C. were realized or the opposition was silenced by 1952, since no mention of Communism arose in the congress of that year.

The trade-union movement itself has always been characterized by a vociferous left-wing faction made up of certain smaller unions like the Electrical Trades Union, the Fire Brigades Union, the Civil Service Clerical

Association, and others, which at one time or another have come close to echoing the current Communist party policy. These unions have always been particularly bitter against the Transport and General Workers Union, which controls twenty per cent of the votes within the T.U.C., and the National Union of General and Municipal Workers for leading the right-wing and moderate labor opinion. Aside from the open fight between these two polarized forces there has been a continuous struggle within the general unions between the left-wing militant groups and the leadership. These militant forces have been led by Communists for the most part, just as the left-wing unions have.

Thus, the fight has been viewed by the officials of the general unions as the same battle and, by further extrapolation, becomes a battle against the Communist party and the Communist International. Such a view simplifies the approach for the officials, but at the same time it blinds them to some of the genuine grievances within the ranks, and, furthermore, prevents them from examining the basic difficulties of large-scale, mixed unions. The Communist issue, in other words, becomes a convenient façade, behind which the leadership of the general unions can terrorize the members into obedience and preserve the present balance of power within the unions. This is not to condemn all the union leaders as confirmed witch-hunters. The problems of trade unions in a mixed economy are acute and as yet unsolved and, in fact, have been faced squarely only by a few academicians.

Union Leadership and the Communist Issue

The issues can be unravelled as follows: The leadership of the British trade-union movement has been successful in gaining recognition of the rights of unions. It has faced withering assaults from business management in the past. Through real struggle, coupled with affiliation with the Labour party, the trade-union leaders have gained government commitment to national full employment, widespread collective bargaining and joint consultation in industry, and a voice in the shaping of a socialist economy. The big unions are now sprawling bureaucracies, dispensing an agglomeration of paternal benefits to their members. In the process of amassing such power the unions had to present a solid front and strengthen their leadership. But the necessity for such an emphasis has lessened in importance. The generation of hard-bitten trade-unionists who could remember street fighting and starvation strikes has largely passed out of the organization, although their leaders have not.

The old-timers remember what conditions were like before, and the bloody road they had to travel to achieve their present recognition. The new unionists do not respond readily to appeals for unity which merely state the need for order and cooperation. They have heard the legends of bygone strike leaders, and they ask, "Why doesn't the union fight as hard as it used

to?" Thus, there are misconceptions on both sides. The workers have not been fully oriented to the stable, protective role of the union in a unionized economy, and the leaders have not been able, or have been unwilling, to face the problem of explaining. Furthermore, the leaders have not faced the problem of congealed lines of communication. The branches in the T.G.W.U. and N.U.G.M.W. do not strictly represent the membership. Certainly this could be remedied if the members attended meetings, but most of them are convinced that their opinions and feelings never reach the top levels of official hierarchy, or are so diluted in the process as to make them meaningless, or are simply ignored by the leaders. The faults and ills do not rest only with one side. Obviously the rank and file take a rather unsophisticated view of the complexities which mass administration must face, but the leadership does not ease matters when it plays up the Communist issue every time a complaint arises. This is precisely the tendency in the T.G.W.U. and, to a lesser extent, in the N.U.G.M.W.

Communist Infiltration and Union Measures

Of course one must not be naïve in these matters. Communists have been trying to infiltrate into key positions in the general unions for many years. They were successful on many levels during the war and proceeded to embarrass the leaders by flouting the bargained agreements, undermining union policy, which maneuvered itself into a delicate position during the Labour Government's "wage freeze" policy after the war, pushing through anti-Government resolutions in the branches during the late 1940's, and stirring rank-and-file discontent to focus on certain industries where strike situations were apparent. Yet Communists do not cause strikes. This point is crucial. Workers do not relish losing pay or courting the ire of the Government, the union officials, and the public. But when grievances grow intolerable the Communists can function as excellent organizers. Resolutions on peace and atomic bombs can only be cajoled from branches whose members believe the Communist sponsors are doing a good trade-union job, *first*. Arthur Horner, the Communist president of the National Union of Mineworkers, and Abe Moffatt, of the same N.U.M., would not last in their jobs unless the miners felt they represented their real interests on problems of wages, hours, and security. Even the E.T.U., top-heavy with Communist officials and executives, would depose its leadership if the members felt that their aims were not being pushed. The fact is that large unions like the Amalgamated Engineering Union and the C.S.C.A. have overturned Communist leadership through the process of agitation and election, and without purges and bans.

The general unions, perhaps less certain of mass support, have chosen to bar Communists from holding office. The N.U.G.M.W. accomplished this rather early after the war, but the T.G.W.U. had to undergo a full-

scale "Red scare" in 1948 and 1949 before the Bi-ennial Conference passed the anti-Communist resolution.

It is interesting to note that, at this same conference in 1949, another resolution passed, which condemned as absolutely undemocratic "the present purge of workmen because of Communist party membership or sympathy." This referred to the private employers; most of them possessed government contracts. Somehow this exhibits a curious, schizophrenic tendency within unions, which view internal policy as divorced from the movement's policy in facing employers. Such a resolution may appear strange, and yet it is not strictly illogical, since the T.G.W.U. never recommended refusing membership to its own Communists.

T.G.W.U. members also were involved in an openly discriminatory measure when in 1950 a number of Manchester lorry-drivers refused to deliver copies of the *Daily Worker* to news agents. This was attacked by the local union leaders and the drivers withdrew their objections in a short time, although no disciplinary action was contemplated. Subsequently, the T.G.W.U. expelled three Communist dock workers after a number of ugly, unofficial strikes in that industry. Admittedly these men were not expelled for their political views nor without prior warning, but the expulsion never solved the grievances of the dock workers. Although the three Communists violated union rules in leading unofficial strikes and making things difficult in other ways, they also were leading the expression of some widespread discontent. Communication between the dockers and the union's national leaders is still virtually nonexistent.

In 1950 two minor unions also formally banned Communists from holding office: the National Union of Operative Heating and Domestic Engineers and General Metal Workers and the Association of Supervisory Staffs, Executives and Technicians. Today the National Union of Boot and Shoe Operatives requires its officials to sign non-Communist declarations.

After the Korean War began, frequent charges were made by government officials and T.U.C. leaders that a concerted effort was being made by the Communist party to cause serious industrial unrest as a political tactic. The issue of subversives in industry grew so popular that even the Minister of Labour, Mr. George Isaacs, in the autumn of 1950, when ten thousand London bus drivers were on strike, spoke of the need for careful scrutiny of certain groups in the docks and road transport and among the meat carters. He asserted that "evidence is accumulating that an organization is being created, chiefly by men prominent in previous unofficial strikes, including some who were expelled from their unions because of their anti-union activities, and others who have just returned from a meeting with their Cominform friends in Warsaw. These men are going about the country with promises and proposals that are impossible to fulfill. . . . These meetings will have only one object in view and that is to disorganize our

essential services.”²⁵ This danger was discounted by many competent observers and the *Manchester Guardian* commented that “Mr. Isaacs is too much given to vague warnings. . . . The Government must also be on its guard lest it follow the example of some trade union leaders . . . who see Communists under every bed. Dangerous as the Communists undoubtedly are we must not run the risk of leaving genuine grievances unremedied, genuine doubts undisputed by blaming Communists for all our industrial troubles. . . . It is always bad clinical practice to concentrate on treating symptoms and to ignore the more deep-seated ills that may be causing them.”²⁶

Time has eroded the strength and enthusiasm of the anti-Communist crusaders in the trade-union movement. Mr. Deakin, however, more than any other leader, continues to utilize such maneuvers. He displays, in the words of the *Sunday Times* (April 22, 1951), an “over-riding obsession and an undeviating and furious hatred of the Communists” which causes concern on the part of many trade-union and political leaders. He has advocated legislation to suppress both the Communist party and the *Daily Worker*. At a press conference he called September 19, 1950, nominally to provide evidence of a “Communist plot,” he was most incensed at newspapers which were critical of his operation of the T.G.W.U. In the 1953 T.G.W.U. Bi-ennial Conference, a resolution was introduced stating that all future delegates to the Labour party conference should be elected by a ballot of all the union members and not solely by the union executive committee. To this reasonable request Mr. Deakin replied, “I think it is perfectly damnable that members make suggestions of this character and play down to the filthy tactics of the Left, the Communist party and the *Daily Worker*.”²⁷ The resolution was defeated.

By preventing Communists from holding even minor offices, the T.G.W.U. and other unions have eliminated a check point on the grievances of the rank and file. The election of Communists does not always indicate a cynical manipulation of honest opinions; it also signifies the inadequacy of traditional union leaders to satisfy basic problems inevitable in mass, general unions. “One of the troubles,” comments the *Guardian* on September 19, 1950, “is that as Mr. Deakin’s case emerges it would seem that there can be no legitimate opposition. He and his executive may be convinced that they are acting always in the best interests of their 1,300,000 members, but there may still be room for genuine differences of opinion. . . . The Communists may be plotting an explosion but there might be a good deal less risk if there were a few more safety-valves.” Two results of Mr. Deakin’s policy would seem to be inevitable. Leaders on the lower levels of the union will be suspected by the membership of being only official “stooges” and the Communists will have the opportunity to concentrate their activities on the job, magnifying the smallest area of dis-

content and aiming toward the total discredit of the shop leadership, as well as of the elected branch officers.

The Labour Party and the Communist Party

The Labour party, too, has been engaged in a running struggle against association with the Communist party. From the Labour party's early beginnings in the opening years of the twentieth century, the conflict of socialist philosophies was instrumental in keeping out the Communists. The acceptance and integration of the Christian Socialist and Fabian groups into the Labour party meant the erection of an impassable barrier to the more radical, anti-parliamentary sections of the Labour movement. The Communists tried to affiliate with the Labour party a number of times, but were rejected on each occasion. These attempts were precipitated for a variety of reasons.

The initial failures of the Communists to attract any great following drove them to plan on drawing support from the moderate socialists. No doubt they hoped to establish control of the Labour party by the familiar methods of infiltration and election through a well-disciplined minority. Formal application for affiliation was refused in 1924. The Communists then shifted to an effort to influence Labour party policy through individual memberships. But such a policy meant that Communists had to keep their outside activities secret and their opinions veiled, since open expression of their views would have meant discredit in the eyes of the anti-Communist members of the Labour party. Once designated in such a way, the Communist was isolated and lost his usefulness. Actual Communist party members could never be admitted into the Labour party unless they lied about such membership, but members of Communist-led organizations were not officially and constitutionally excluded until 1946.

During the 1930's and the Popular Front period the Labour party rather reluctantly cooperated with the Communist party in various anti-fascist efforts. It must be emphasized, however, that the initiative for the common front against fascism came from the Communists who became the self-styled philosophers of the unity of all workers. Officials of the Labour party never relaxed their opposition to Communist principles and to formal association with the Communists.

When war broke out in 1939 the Labour party naturally supported the national defense and, as the chief opposition party, were included in the wartime National Government. Communist support of the Nazi-Soviet pact, of course, placed the Communist party in a directly hostile position to the Labour party, a condition from which they never really recovered. The exigencies of war allowed the Communists a last attempt at affiliation. In 1942, armed with the facts of the British-Soviet alliance and the need for national unity, the Communist party officially approached the Labour

party again. In an interesting exchange of letters the secretary of the Labour party revealed his reasons for refusal. These were principally contained in the circumstances of the Communist party's membership in the Comintern and the party's behavior from 1939 to 1941, all of which indicated to the satisfaction of the Labour party officials that the British Communists were not really representatives of the British working class, but acted in accordance with the international tactics of the Soviet-sponsored Third International. This was followed by the 1946 amendment to the constitution of the Labour party which made specific the terms of membership, thus insuring that members of other political parties, or groups owing allegiance to political organizations abroad, would not be eligible for membership or affiliation.²⁸

A list of proscribed organizations (see Appendix) was distributed to all the Labour party branches and affiliates. Membership in any of the listed groups precluded membership in the Labour party. The member or the affiliated organization had to choose between loyalties. Superficially, this is a simple and efficient measure. It certainly has been effective in preventing radical or impulsive branches and other groups from embarrassing the national Labour party by linking it to Communist-sponsored associations. The difficulty inevitably arises in defining the proscribed organization: The fact that Communists join some kind of appeal does not *ipso facto* "contaminate" the cause, for if it did then the *Daily Worker* could become the barometer of the Labour party's attitudes merely by supporting a myriad collection of organizations in order to drive out the Labour party. Such a situation becomes clear when a professional association involves itself in a controversial resolution or joins an international professional body. For instance, if there were a national association of Labour party biologists, it might conceivably endorse the outlawing of germ warfare at a national professional conference. The fact that the Communist party circulates petitions of a similar nature does not make the biologists' resolution a Communist one. Further, if these biologists decided to join an international biologists' federation which included Russian, Polish, and Hungarian scientists, this might appear as grounds for branding the federation as affiliated to the Communist party. Analysis of the list, however, shows that the Labour party officials have not acted on such extreme assumptions, that is, those which might eliminate the members of groups which merely admit Communists. All the organizations proscribed, it is generally agreed, are direct subsidiaries of the Communist party or Communist party groups. Such a situation does not prevent disagreement by the few Labour party members who may have to give up certain activities. Controversy always arises over the accuracy of the evidence leading to proscription; a notable case occurring over the status of Socialist Fellowship, which was formed as a militant socialist group, but later came to be judged as Communist-

dominated and hence proscribed. The Labour party's official attitude reflects disapproval of the weakness or ineptitude on the part of the non-Communists who allowed their organization to become a tool of the Communists.

The procedure surrounding the application of the list has been reduced to forcing the Labour party branch or affiliate to question the central office when in doubt over the possible support of outside groups, after consulting the list of proscribed organizations. If the central office is uncertain it will advise the local group to refuse association pending an investigation. Subsequently, the questionable group is either proscribed or "cleared." The mechanics of proscription are not as arbitrary as may have been indicated. The organization department must recommend to the executive committee, which in turn must receive the approval of the annual conference. Such a process naturally leads to political caution and may hamper free, decisive action for some time in various localities on certain issues. In practice this has not proved crucial, due to the fairly rigid conception of what constitutes Communist domination among the Labour party officials.

Expulsion of Labour Party Members

The other form which the discussion over loyalties may take is manifest when the Labour party formally expels individuals because of public statements or activities which are flagrantly at variance with the party's policy. Such incidents arise periodically in party branches and do not cause national notice. On the other hand, the expulsion of an M. P. initiates a discussion of the tenuous balance between party discipline and the rights of free discussion of issues. In the late 1930's Stafford Cripps, Aneurin Bevan, and Jennie Lee were expelled over differences involving the Popular Front. A number of Labour M. P.'s who proved to be vigorous opponents of the party's foreign policy were elected in 1945. These men were associating openly with organizations influenced in varying degrees by Communist policies and, moreover, were displaying a vocal disapproval of their own party's program in the House of Commons. The explosion came in 1949 when two of these people, L. J. Solley and K. Zilliacus, were expelled. Both Zilliacus and Solley were among twenty-two Labour M. P.'s who telegraphed their best wishes to Italian Socialist Pietro Nenni in the 1948 Italian elections. One such M. P., John Platts-Mills, had been expelled previously. The expulsion of Zilliacus and Solley, along with five parliamentary private secretaries, was actually precipitated by Zilliacus' opposition vote to the North Atlantic Treaty and Solley's agreement with that position. The issues which underlie this problem are wider than those of mere party loyalty. The British parliamentary tradition has developed under the influence of the philosophy of strict party discipline on basic matters of policy in order to clear the lines of responsibility and retain fundamental governmental disagreements to broad issues, thus trying to keep public judgment un-

cluttered by shifting, fluid, factional disputes. If members of one party disagree on major issues, then it becomes increasingly difficult to understand, or even discern, the official policy. Conversely, however, a party cannot confine all discussion to the caucus rooms in order to retain an appearance of unanimity. This leads unswervingly to equivocal statements of policy and results in preventing public access to important information.

A debate along the above-mentioned lines occurred in the 1949 Labour party annual conference. The initial dilemma of principle was colored by the traditional loyalties of party old-timers to men who fought well for the movement in the past, as well as by time-hardened sensitivity to the "Communist line" charge. In 1948 this was expressed succinctly in another context by one party conference delegate: "I know like most of you how easy it is to be labelled a Communist if one is active in the working class movement." After much soul-searching and open recriminations the conference in 1949 did not reject the expulsions of the M. P.'s. It was fairly obvious to most of the delegates that these members were acting in a way detrimental to the party.

It is not impossible for expelled members to gain readmission to the party. In fact, many such people do this very thing. For example, Mr. Zilliacus has since rejoined. All that is necessary is a statement which indicates loyalty to the party constitution and indicates to the satisfaction of the party executive committee that the person concerned has honestly renounced his past activities and will not engage in similar activities in the future. We should pause to examine this principle, since it is significant to the whole concept of loyalty in this area.

The Labour party is not interested in regulating opinions, as such, nor is it interested in predicting possible defections from past affiliations. The party has certain aims and programs to which it demands a broadly defined allegiance on principle. As a political party it has a duty to the electorate and to all its members to demand that its leaders defer to the majority decisions of the annual conference. Obviously, the leaders must be entrusted with the power to decide on the tactics of policy. Through criticism and discussion, policy moves forward, but a line must be drawn between basic disagreement and outright sabotage. The penalty for the latter act, in any case, may be either reprimand or expulsion. Neither result completely deprives the member of further access to the public. The case of Zilliacus and Solley illustrates this point. They could not be ejected from their parliamentary seats under such circumstances, but Zilliacus, who decided to stand as an independent in the next election, was roundly defeated by the regular Labour candidate. It is true, however, that a prominent M. P., upon expulsion, loses the advantage of a party label which brings a certain measure of prestige to his position, thus losing some of his audience. Yet this is by no means a crushing blow.

Dangers of Expulsion

The danger in rigidly interpreting disagreement as disloyalty lies in the possible suppression of opinions of real value. In order to remain vigorous and responsive a party must invite criticism. If such criticism proceeds only at the peril of expulsion, then discussion is merely a euphemism for ratification. No formula can be prescribed for this problem. Leaders and members must acquire a sense of freedom and a passion for full discussion.

The use of the list of proscribed organizations presents other dangers. We have examined the issue of evidence, that is, how one interprets the constitutional criteria for proscription and how one weighs the evidence in such cases. In practice this has not proved unworkable since Labour clearly has not sought to ban all anti-socialist or anti-labor groups, but has restricted itself to obviously Communist or fascist organizations. The fact that the Conservative party is not on the list of proscribed organizations undermines the defense of proscription on the basis that it is merely an institutional, structural measure designed to ensure against the acceptance of anti-party precepts by new members. The list can be defended only in terms of a weapon against Communism and fascism, which assumes agreement on the anti-democratic nature of these groups. It is the principle of any list, however, which may be faulty. The job of printing lists becomes an ever-increasing task once the program is adopted. Communist groups merely change their names or form new associations when necessary. Thus the organization department of the Labour party must spend an increasing amount of time merely checking on the names and the existence of Communist groups. This is certainly an activity which diminishes in value, since it is certain that the organization department has more productive work to accomplish. It is open to argument whether party discipline cannot be treated just as well on an *ad hoc* basis. This would leave judgment on the official matters of the branch sponsorship of various activities up to the branches themselves. Cases of violations would be treated on their merits without institutionalizing a practice which has been rejected by the government and discontinued by the T.U.C. Furthermore, the existence of a list does not prevent people from lying about their associations, nor would it ever deter a secret Communist from gaining access to important material, if the Communist party ever decided that it was necessary to go to such lengths to "spy" on the Labour party.

Thus far, however, the Labour party's "loyalty" efforts can hardly be classified as a danger to a free society. The fact that important differences remain within the party ranks indicates that discussion has not been stifled. The Labour party remains one of the significantly democratic organizations in Britain, both in its structure and in its procedure.

The history of the Communist issue in the Co-operative party follows a

path similar to that of the Labour party. The Co-operative movement in Britain can trace a development from the cooperative societies of the late nineteenth century and, although it maintains today a completely independent organization, it is affiliated to the Labour party on political matters. Its major tasks lie in the fields of manufacturing, distribution, and consumption, as well as in social and political education. The discipline of local societies and individual members has never been handled through centralized direction, as the Co-operative party places a high premium on local autonomy in most matters. This has not prevented the issue of the Communist exploitation of societies from arising at annual conferences. In 1937 there appeared to be a great deal of support for open cooperation with the Communists in the united front against fascism. In 1939, however, a resolution came up (but was defeated) on excluding Communists from the party. The only official change in the constitution came in 1947, when an amendment was passed which held that members of the national committee, the central governing body, would have to sign declarations which, in effect, barred Communists from that body.

This amendment also theoretically barred Conservative party members from seats on the national committee, for the wording was such that anyone who is "a member of any political organization which sponsors or supports Parliamentary or local government candidates in opposition to the candidates either of the Co-operative party or of any other party with which it has an electoral agreement" would be ineligible for office. The only other official, national action occurred in the Co-operative Women's Guild conference in 1948 when a motion was passed which barred anyone from office who was a member of political parties other than the Co-operative party or the Labour party.

There is no doubt that Communists had achieved posts of various secondary importance within the Co-operative movement by 1947. Whole branches were in the hands of a complete slate of Communist officers, and the embarrassing activities of these local units became increasingly annoying and provoking to the executives of the Co-operative party and the Co-operative Union. Aside from the above-mentioned constitutional amendment, a campaign of education and agitation was launched against the Communists. Local societies were assured of the support of the national executives when they took action against members who were violating the declaration of loyalty to the party. Such expulsions, however, were the concern of the local societies, and no formal ban on Communist party members was contemplated. The Co-operative party stated its views quite cogently in a pamphlet in 1948.

What we dispute is not the sincerity of those who advocate Communist doctrine, but the ability of those who believe in it to subscribe to the democratic faith in which the Co-operative party believes. We are not here questioning the

right of Communists to hold and advocate their views and secure support for them. But we assert that it is highly improper that they should attempt to use, as instruments of their propaganda, other organizations which reject and oppose their doctrines.²⁹

The action of the Co-operative party is similar to that of the T.G.W.U. in many ways. Although Communists can join the movement, they cannot hold office—yet the Co-operatives are less rigid and less sweeping about this, and they do not employ anti-Communism as a weapon in silencing all other forms of opposition. But the action is really illogical and an admission of a lack of vitality in the foundations of the movement. It is up to the individual members to cast votes for non-Communists if they feel that Communists are a menace. Even after the Communists gain official positions through the apathy of the electorate or through the lack of vigorous opposition, they should not be expelled unless they do something disloyal or detrimental. In actuality this seems to be close to the position of the national executives of the Co-operative party. Certainly the Communist office-holders in the past have proven their disregard for the primary objectives of the movement, and the national committee has good reason to specify the conditions for election. In the past the local societies do not seem to have abused the interpretation of party loyalty. Yet individual members cannot rest on constitutional amendments to keep the organization vigorous. When branches have to be closed because of Communist domination it displays a weakness and disinterest on the part of the membership. The Co-operative party has demonstrated a certain recognition of this point. Its attitude and action have not represented a real threat to free discussion.

Conclusion: Importance of Labour Loyalty Measures

The importance of the loyalty measures within the Labour movement does not lie in the anti-Communist measures which have been adopted. Every extra-governmental organization reserves the right to define the terms of a member's acceptability. The test of such measures lies in the respect of basic liberties. If employment is not circumscribed, if free speech is not endangered, if private opinions are not suppressed, then the problem of loyalty measures can be reduced to one of procedure and application. It is here that issue might be taken on the basis of efficiency and necessity.

The fact that intra-organizational discipline generally has not been expanded to penalize people for their opinions is, of course, significant. It indicates a realistic appraisal of not only the possible dangers of Communism, but the equally possible dangers of hysteria and the crushing of democratic practice which are resident in a fanatic, overzealous approach in a society which places ultimate value on the individual.

chapter five

Responses in Other Phases of British Life

It is not surprising that the government security program should have some repercussion in other occupations. The nature of the subject, however, and the wide variety of activities make any evaluation somewhat tentative. Charges of political discrimination in private employment can rarely be proved nor, in most cases, can they be definitely ascertained. Employers who ask the political opinions of employees are few, but it is inevitable that a known radical would have a difficult time obtaining an important position in any business firm. Though it is almost impossible to establish, there is some basis for believing that there are firms which have consistently followed a policy of eliminating so-called Communists, though this may often include militant unionists who disturb managerial complacency. Employers are not bound to state the reasons for discharge, and disgruntled employees may sometimes claim discrimination to deflect attention from their actual performance on the job. Furthermore, certain voluntary "watch-dog" groups, in their zeal to achieve their goals, may magnify isolated or peculiar instances into a general campaign. It is also true that representative pressure groups are very likely biased by their outlook and hence ascribe unjust motives in possibly harmless circumstances. The paramount point in the discussion of this problem is the general absence of any over-all tendency to apply political tests in industry, the professions, the arts, and communications. The incidents which have occurred deserve mention not as illustrations of a trend to extend the security program, but as isolated aberrations of the customary response. In the application of any public measure, such as the security program in the civil service, there will be those who will view this as the occasion for a new departure and an opportunity to apply their own standards of orthodoxy to the society at large. Such people may decide to overthrow traditional attitudes in a newly acquired or newly sanctioned fervor. Most of the cases cited below deal with these types. Yet it must be reiterated that the fruitful analysis in this field is not fundamentally concerned with the substances of the measures themselves. Rather it should turn to the reasons for the absence of any

general tendency to equate loyalty with "employability." Chapter Six will attempt to deal with these factors.

Political Discrimination in Business

The largest number of reported cases of political discrimination outside the government after the announcement of the security program of 1948 appeared in private industry either directly or indirectly connected with government. This is truly a twilight zone, since it is virtually impossible to trace the reason and hence the real responsibility for the decisions to discharge. Of course, the private employers make the apparent judgments, but the fact that most, or perhaps all, of the cases would not have arisen prior to March 1948 casts strong suspicion in the direction of informal government pressure. Such investigations lead nowhere since the locus of such pressure is masked by the absence of any other indication except reasonable suspicion. Moreover, it is not necessary that there be a fountain of informal pressures, leading from the government to industry, since many business executives may try to predict the official attitude to firms holding government contracts. There is also the possibility that some firms may feel that one way to compete for valuable contracts is to appear absolutely clear of subversive influences.

By the summer of 1948 there were many stories of weeding-out processes in the aircraft and scientific-research industries. The aircraft industry is supported by government orders and is the center of the most advanced technical development in war equipment. Often scientific research can vaguely be linked to atomic research and certainly it is an area of intense activity in the perfection of new weapons as well as general technology. The industrial correspondent of the *Sunday Express* on June 27, 1948, reported that "A hint from a high level has gone out to certain firms indicating that the value of the Civil Service purge would be nullified if Communists were allowed in the manufacturing end of confidential State enterprises." It is not surprising that more cases of suspected purgings grew up in these areas than in the industries directly under government supervision. Some idea of the total activity of the government in the shipyards, arsenals, air bases, and manual employment in the atomic energy stations can be perceived from the figures of the Amalgamated Engineering Union on the number of cases reported to the executives. Out of some 40,800 A.E.U. members in the areas of government employment, only twenty incidents were reported to the union. But private employers receive no definite instructions on security policy. Furthermore, there is no structure of formal administrative responsibility for an official security program as there is in government establishments. Men such as those in the A.E.U. employed in arsenals and shipyards may appeal to the terms of the March 1948 security order. This cannot be done in private industry.

The A.E.U. officially protested political discrimination in both government and private engineering establishments in its national committee meeting of 1950. The Association of Scientific Workers did the same a number of times, but there is little they can do, except to try to find other employment for the men involved. This is especially difficult in the case of scientific workers, due to the special nature of the work. Research technicians usually spend many years developing a certain specialty, and those men who possess interests and skills in areas which are vital for war needs today can find few similar jobs in the same field that are not also "sensitive." In a few cases this may mean a destructive turn in a career.

Real confusion results when there is no standard to which a dismissed employee can appeal. No one knows whether an MI5 investigator may have discovered reliable or unreliable advice on a certain ministry's policy on future contracts in vital armament industries. No one knows what constitutes a political risk to an MI5 representative, or to an employer. No one knows the sources of information available to the employer in making such decisions. Concurrently, there may be at least three kinds of dismissal, none of which may be made clear. A man may be fired for being a Communist in an industry which may or may not be involved in national security; a man may be fired for no revealed reason, which is, as we have stated, legitimate—he may be a Communist, a former Communist, or not a Communist at all; a man may be told his presence prevents his co-workers from benefiting from a government contract and be asked to resign or transfer for the collective good. The whole picture resembles a maze of uncertainties. There is little point in recounting a great number of the actual incidents since they follow no pattern at all.

Restraints on Business Leaders

Only an attitude of imperturbability and restraint on the part of employers is capable of preventing the transformation of isolated groups of cases into a mass purge. Such an attitude prevailed in the minds of the majority of the business executives concerned with the security issue in any form at all. It has been alleged that a few executives took the opportunity of 1948 to transfer militant shop stewards or union officials. Some of the people implicated here were Communists, the others were not. Yet such behavior is rare for two sound business reasons, even if we leave aside the considerations of liberty and tolerance. One reason is the shortage of skilled technicians in the complicated phases of engineering and scientific research work. The loss of a key worker may mean the loss of a contract because of inefficiency, security efforts notwithstanding. The other reason involves good industrial relations. Armament factories are engaged in programs of rapid production and quick change-overs in methods. The indignation or the loss of confidence on the part of the workers may destroy the

total efficiency of the plant. In such industries morale is a delicate problem. Employers are therefore reluctant to engage in activities which produce sometimes unpredictable results.

There is one flagrant case of an outright loyalty oath in a retail department store which could not claim even a remote relation to national security. This is the incident of April 1949 in the John Lewis store. At a meeting of the executive committee of the partnership—John Lewis operates under a type of co-ownership between the employees and management—a resolution was passed which recommended the dismissal of all Communists and the signing of a document to the effect that one is not a Communist nor in sympathy with Communism. This was to come from all present and future employees. It is interesting that a similar resolution pertaining to fascists was defeated in an election, by approximately the same margin as that approving the first resolution. The John Lewis program proved to be a fiasco from the start. It was condemned in Parliament; and one member, Mr. H. D. Hughes, asked if “the security problem in the sale of ladies’ underwear” was sufficiently important to warrant an “intolerable and deplorable” intrusion into the private life of employees. It was immediately denounced by other employers, by the T.U.C. in the annual conference of 1949, and by the Minister of Labour. The whole policy collapsed very soon, reputedly after the Minister of Labour refused to accept any people dismissed in such a way at the employment exchanges, when and if the cases arose, and allegedly stated that he would not send any other people to jobs at John Lewis until such blatant discrimination ceased. A public opinion poll (B.I.P.O. May 18, 1949) was taken shortly after the imposition of the ban at John Lewis. Of those people questioned, “Do you approve or disapprove employers asking employees to sign a statement about their political beliefs as a condition of employment?” 11% approved, 78% disapproved, and 11% had no opinion. Cases of dismissals due to alleged political discrimination arose in Unilever, Ltd., in August 1950, in Jowitt Cars, Ltd., in May 1951, and in the Eastern Growers Marketing Association in 1949.

Communications and Entertainment—The B.B.C.

In the communications and entertainment industry the British Broadcasting Corporation has been the target of various forms of political criticism for many years. Before World War II, rather soon after the B.B.C. was formed as a public corporation with a monopoly in radio and television, many socialists felt that the programming displayed the influence of conservative tendencies which did not take account of matters of greater social significance. Even after the war an announced program was cancelled after protests were made about its anti-socialist nature. Such criticism takes no account of the right-wing “fringe” charge that the B.B.C. reveals Communist

tendencies. Lord Vansittart, in his monumental address in the House of Lords, previously referred to, stated: “. . . the BBC refused to cleanse itself of Communists and consequently Communists have remained. There is no mystery about it; the BBC admit their presence.” His Lordship also complained that a feature called “Soviet Views” was Russian propaganda and that the B.B.C. does not allow Russian emigrés and exiles to be used in great enough quantities. This occurred in March 1950. Vansittart has been joined in his allegations against the B.B.C. by Sir Waldron Smithers, who told the Incorporated Association of Organists in July 1950 that popular music and crooning “is part of the Communist technique for demoralizing our people.”³⁰ In February 1951 Mr. R. Blackburn, Conservative M. P., said, outside of Parliament, that he would forward “the names of three open members of the Communist party in a position to influence the broadcasting monopoly”³¹ to the Postmaster-General, who is nominally responsible for the B.B.C.

As usual, such charges made news only in the newspapers which themselves had made such statements previously. Yet the B.B.C. remains in a vulnerable position, not by dint of any subversive influence, but through the nature of its functions. The B.B.C. must continually tread a thin line between nonpolitical programming and simply dull programs. Such an organization has a tremendous responsibility for simultaneously pleasing separate levels of taste and opinions and for not offending anybody. Because it reaches into well-nigh every home in the country, the B.B.C.’s possible misuse of power is inherent in its mere existence. In view of the delicate position of the B.B.C. one must be careful not to ascribe sinister motives to certain controversial actions. It is certainly true that, on occasion, the B.B.C. appears to succumb to illogical, partisan pressures. The two outstanding examples occurred in 1950, one as a direct result of Lord Vansittart’s attack, which not only criticized the B.B.C., but mentioned Reverend Gilbert Cope as an alleged Communist influence in Birmingham University. The Principal of Birmingham, Sir Raymond Priestley, defended the university’s right to employ anyone it deems academically fit, the political affiliations notwithstanding. But, on the following Sunday, the Reverend Mr. Cope’s scheduled talk in a religious series carried by the B.B.C. was cancelled. In August (the Cope incident occurred in April) the B.B.C. had scheduled Howard K. Smith, the American correspondent, to interview a British housewife on its television series “An American Looks at Britain.” The housewife, Mrs. D. Purcell of Nottingham, had appeared twice previously on “Women’s Hour,” but, on this occasion, a telegram and a phone call from the Nottingham Housewives Association caused the B.B.C. to cancel her appearance. The Housewives Association complained of Mrs. Purcell’s supposed Communist activities. Other cases of alleged political discrimination in the discharge of staff workers could be

mentioned, but these instances resolve into differences of opinion, rather than fact.

Certainly the incidents mentioned are not the rule at the B.B.C. Nothing came of the other charges made in Parliament. A number of lecturers, such as Christopher Hill, history don at Oxford, who have never denied their political affiliations to Communist groups, have appeared on the B.B.C. and continue to do so. The B.B.C. Staff Association broached the matter of political dismissals to the director-general of the corporation in 1948. At that time the general secretary obtained an agreement that no member of the staff would be dismissed or transferred on security grounds without an opportunity to appeal through the Association. It was also stated that:

. . . the Corporation's policy was that no member of the staff should be penalized for his political views, but if any member was urged by those views to betray the Corporation's trust or impartiality his contract should be terminated.³²

It is probable that there are Communists working for the B.B.C. It is also definite that they have had no palpable effect on any of the policies or programs. Moreover, it is open to question whether Communists could serve any useful purpose to their party even if they achieved quite high posts, for any attempt to propagandize would detonate an uproar from the public. In fact, if one took a poll of British radio listeners, one might more likely receive replies which would welcome more politics and news interpretation than responses castigating the B.B.C. for propaganda.

British Actors Equity

In the other spheres of entertainment there have been almost no incidents at all. British Actors Equity has been vigorous in its protection of the performer's right to be judged on his artistic merits alone and has rejected any form of political inquiry whatsoever. In 1941 Equity protested a tentative decision by the B.B.C. in refusing to allow certain artists to perform on a show because they participated in the Communist-sponsored People's Peace Congress in January of that year. Equity won its case and the artists appeared. In June 1953 the *Evening Standard's* "London Diary" attacked Equity's decision to allow Paul Robeson to play Othello in Britain. Equity's reply to the statement deserves reprinting:

Your London diarist (June 24th) is wrong about Equity and Paul Robeson. We are not a witch-hunting committee. Our advice to the Ministry of Labour regarding permits for foreign artists pays no regard whatever to political considerations.

We recommend or oppose permits in accordance with principles laid down by our Council. These are too long to summarise here, but the main considera-

tions are the international status of the artist and whether or not a British artist should reasonably be given the opportunity of playing the part in question. On these principles we supported a permit for Paul Robeson to play in "Othello" in the West End, and opposed a permit for Anna Proclemer to play in "Don Juan" for two weeks at Bideford and Canterbury. Your diarist, however, raises a more serious issue. No British Government to our knowledge has banned an artist from the theatre because of the artist's political opinions. Members of Equity are proud of this tradition. They believe that art can do more than anything to break the barriers of fear and suspicion which divide the world. Your diarist would apparently have it otherwise. We think he is wrong. There is no place for McCarthyism in our theatre.

Within the ranks of Equity the members overwhelmingly defeated a resolution in 1949 which would have prevented Communists from holding office in the union. At present there are two Communists on its executive committee and well-known Communists appear regularly in plays in London. Nothing further has been said about it. There have been absolutely no incidents of protest or discrimination involving writers or playwrights. This applies to journalists as well. The National Union of Journalists follows a policy similar to that of Actors Equity. One can draw one's own conclusions as to the policies of newspapers in hiring their writers. It is doubtful whether actively Conservative or Labour papers would hire Communists for journalistic positions, just as the *Worker* certainly would not employ anti-Communist writers. But this is really not discrimination; it is in the natural order of a rational editorial policy. Whether certain newspapers would discharge writers after learning of Communist affiliations borders on mere speculation. It is sufficient to say that no complaints of this nature have arisen.

Newspapers—Source of Strength

The role of the newspaper in the problem of internal security bears mention. Certain journals have taken a rather extreme view of these affairs in relation to the general opinion. Without doubt the Beaverbrook papers, the *Daily Express* and the *Evening Standard*, find the Communists in various positions of private and public employ much more newsworthy than other newspapers. It was the *Standard* which consistently attacked certain unions for their political resolutions and which cast doubt on the loyalty of John Strachey, who held two positions in the cabinet of the Labour Government. The *Standard* questioned Strachey's fitness for the Ministry of War, accusing him of Communist activities some twelve to fifteen years before.³³ This latter action earned the *Standard* and Lord Beaverbrook the open rebuke of virtually every other newspaper in London. Between 1948 and 1950 most of the national newspapers considered the connection between Communists at home and security measures front-page items, even deserving of editorials from time to time. "Inside stories" of

new Communist intrigue proved very popular, but the sources of these stories remain very dubious.

This is no place to enter into a discussion of the ethics of journalism, and certainly not on the methods of journalists. The telescoped, sensational treatment of national issues is not peculiar to British newspapers, nor is it characteristic of only one end of the political spectrum. Labour and Conservative journals alike are not immune to the simple, commercial maxims which partly inspire newspaper publishers. The significance of this digression into the role of newspapers is fairly rudimentary. A serious observer cannot base any final conclusions on the problem of Communism and national security on the information available in the press. For a variety of reasons the newspapers do not always present all the factors which modify the circumstances of any of the paramount issues in this field. As a group they certainly do not reflect official opinion, nor do they mirror the prevailing public attitude. It is even possible that they do not greatly influence public opinion on this problem.

The Professions

We might return to the examination of informal loyalty measures by investigating the situation in the professions. Here we are concerned with law, medicine, and the clergy. There are no restrictions on outside activities in any of these fields. The principle of qualification and competence is the sole criterion for admission to these professions, and there have been no incidents of victimization because of political beliefs. In general, the professions are very jealous of their standards and prestige, and rather judicious behavior is the rule for most of the members. In law, it is certainly true, however, that certain men have suffered in their practices because of the reputations they acquire outside and because of the clients they may have defended. Many left-wing lawyers are forced to deal with Communists and with more unpopular causes simply because they cannot acquire other clients after a certain time. Yet the respect which the profession enjoys embraces all those who are in it, and one would be open to immediate and severe criticism by discouraging certain political activities on the part of lawyers.

Within the legal associations, the Labour lawyers were involved in a controversy over membership in 1948. Prominent lawyers, members of the Government, inspired a resolution to amend the constitution of the Haldane Society to prevent members of parties other than the Labour party from entering the society. Although this motion received a plurality, it did not muster the necessary majority required for constitutional changes; hence, most of the Labour party lawyers left the Haldane Society to form the Society of Labour Lawyers. The policies of the Haldane Society had involved it in many controversial issues, such as the investigation of the germ

warfare charges in Korea, and some of its conclusions went counter to the policy of the Labour Government. At present the Haldane Society has possibly three Communists on its executive council of nine and still contains Labour party members. The Society of Labour Lawyers has tended to limit its functions to those of a more technical nature in advising Labour M. P.'s and the Labour party.

The speech, already cited, by Lord Vansittart also attacked certain clergymen and the Council of Clergy and Ministers for Common Ownership as Communist-inspired. Four months afterward, in July 1950, Mr. L. D. Gammans, a Conservative M. P., renewed the assault on the church for not disciplining the celebrated "Red" Dean of Canterbury. The controversy over the Dean has been one of long standing, and caused considerable embarrassment for a time in Britain when the Dean was making some of his more astounding statements in favor of Communism during his travels to Russia and other Communist countries. Six Conservative members tabled a motion in Parliament July 19, 1951, asking for the revocation of the letters patent appointing Dr. Hewlett Johnson "on the grounds that he has been guilty of preaching subversive and heretical doctrines." When a year later the Dean returned from China announcing his support of Communist charges that the United States had been waging germ warfare in Korea, a Conservative M. P., Miss Irene Ward, asked if "this wicked and irresponsible old man" could not be prosecuted "on a charge of treason for spreading enemy propaganda." Prime Minister Winston Churchill in replying to Mr. J. A. Langford-Holt, Conservative, who had suggested the establishment of a tribunal to inquire into the Dean's activities, said that such a tribunal would "invest the activities of the Dean of Canterbury with an importance they do not possess." And the Prime Minister probably expressed the attitude of most Britons in observing that "free speech carries with it the evils of all the foolish, unpleasant, venomous things that are said but on the whole we would rather lump [i.e., swallow] them than do away with it."³⁴ The church has steadfastly refused to enter into the nonecclesiastical issues which are entailed in any disciplinary action; moreover, the Dean of Canterbury is appointed by the Crown and thus only the monarch can remove him. The attitude of the church was summed up in the House of Lords in reply to Lord Vansittart in March 1950 by the Lord Bishop of Ely:

So far as I am aware the clergymen to whom the noble Lord has referred have not been guilty of any breach of civil or ecclesiastical law. In the Church of England we cannot interfere with private opinion.

The issue of loyalty has hardly entered the professions at all. It is almost impossible to link internal security measures with any concept of loyalty, for all practical purposes. From the outset the Government made this point clear, and this dichotomy of issues has prevailed as an operational pattern.

The instances cited indicate a certain fusion of these ideas in the minds of some people, but such a state does not exist in the over-all purview of the situation. The fact that artists and professionals can be connected to the security of the state only by the most tortuous and indirect reasoning has proved the decisive factor in preventing the spread of political questioning to these areas.

Opportunities for Public Assembly

There has been, however, a marked increase in political discrimination in the renting of public halls and meeting sites since 1948. Discriminatory behavior on the part of private proprietors is not new to Britain, nor to any country in Europe, or in the United States. The guarantee of freedom of speech cannot be invoked here since a private owner can rent personal property to whom he pleases. The rental of municipal and other public halls is another matter. It is certainly true that unpopular groups have much more difficulty in securing meeting places than do other organizations. A full discussion of this problem would lead into many technical, legal ramifications which would not be significant in this context. For example, municipal and other authorities might legally prevent meetings if an outbreak of violence reasonably could be expected. The factors in these situations become highly involved in legal precedents and the like. What is important to note, however, is that these public and quasi-public authorities are subject to strong local pressures during periods of great political tensions. Thus, the Sheffield Council of Catholic Action protested the City Council's action at letting the city hall for the 1950 "World Peace Congress." Many local councils find it exceedingly difficult to stand between the local administration and the local constituents. This problem is also exacerbated by police action in apparently political matters. Most local police chiefs have the power to prevent demonstrations and meetings if public order is likely to be threatened. The lines of demarcation between a provocative meeting and a disturbing demonstration are blurred and, in fact, rarely expressed in advance. When in doubt a sensible administrator usually will be cautious, just as an elected official might be. In the hands of other officials caution may lead to the outright prevention of speech. Incidents fitting these patterns have occurred for a long period and continue to occur today. The victims of such actions vary with the public "enemies" of the day. Thus, Communist meetings were eminently acceptable during World War II, although they are less easy to stage at the present time. The fact that the unpopular groups do not generally attempt to hold gatherings in areas where there is pronounced opposition makes the number of incidents smaller than it might be. On the other hand, a favorite tactic of both the Communists and the fascists in the 1930's was deliberately to attempt meetings and demonstrations in areas of violent opposition to pro-

voke riots or preventative, discriminatory practices. In either case they would attract publicity. Nevertheless, it has been historically true that the freedom to agree never elicits strong counterpressures. It is only when groups demonstrate their disagreements that the boundaries of freedom are tested.

Reports from all sections of Britain can be described to illustrate these conclusions. In most areas it is the Communists who suffer, but it is not unusual for Labour party meetings to be barred from public halls. In December 1952 three prominent Labor M. P.'s initially were refused permission to book a meeting in Liverpool Stadium. Although they eventually did hold their meeting after loud protests, the ban seems to have been reimposed. The Liverpool City Corporation has also prevented the Communist party and the Merseyside Unity Theatre from exhibiting movies in the Philharmonic Hall, although the theatre group had before the ban held thirty-seven programs with no complaints. The impression must not be gained that Liverpool is the most outspoken or the only locality involved in such activity. Liverpool merely serves as a convenient illustration. Similar attempts, in other areas as well as in Liverpool, have met with consistent opposition from people of different political backgrounds. The National Council for Civil Liberties keeps files on all the reported incidents and publishes the details regularly. This kind of counteraction has proved the best barrier to the diffusion of these practices on a wider scale. The events are not general; however, they are by no means isolated, either. Only a less tense political climate will eliminate such episodes altogether.

Conclusion: No Hysteria

The prevailing atmosphere surrounding the problem of informal loyalty measures has cooled considerably since the climactic years of 1948-1950. As reluctant as Britons have been to engage in discriminatory practices of this nature, the situation was rather tense for some time. Although the dangers of a general, informal campaign to enforce a type of political conformity were never critically present, the signs definitely existed after the inauguration of the civil service security program. The tendency remains, however, to differentiate between speech and action and between security and loyalty. Actually most Britons would refuse to try to define loyalty in any partisan political manner. To attempt such a task would be a veiled insult and an unwarranted sign of distrust to most people. The atmosphere points to a continuance of the feeling, ". . . let them talk. The laws and the courts can dispose of the acts."

chapter six

Lessons from the British Experience

It seems apparent that a significant element in determining the British approach to the problem of security is the prevailing climate of opinion and the conduct of opinion leaders in press and politics. A review of the pertinent laws underscores the fact that there actually are no formal institutional obstacles to the establishment of a police state. There are few more potentially repressive statutes to be found in any nation than those presently on the books in Great Britain. That they are not used repressively suggests the strength of public devotion to democratic principles, the absence of recognizable national crisis, and the shrewdness of those who govern. British history affords innumerable instances which establish the truism that civil liberties, freedom of the subject, or the rule of law have not in the past been permitted to restrain a government convinced that an effective challenge to privilege and power existed. Those who govern today are sufficiently astute as political analysts to know that neither the Communist nor the fascist party constitutes any threat to the British constitution. They know that barring the total disaster of war or prolonged depression, the British people are unlikely to be impressed by the appeal of either group.

Great Britain and the United States—Some Contrasts

There are private organizations and individuals who in the guise of urging patriotic conformity would like to undermine the tolerance for political dissent. A Bournemouth musical director refused to play a Shostakovich composition; a Midlands amateur operatic company purged all its Communist members; the mayor of Margate was rebuked for accepting a goodwill message from a boatload of Communist visitors; and a Boy Scout was dropped from his troop because he collected signatures for a Communist-sponsored peace petition. It is not, therefore, that Britain does not have an extremist fringe, for it does. The *Manchester Guardian* (March 20, 1953), in reporting a debate at a meeting of the Conservative party in March 1953, observed that it "served one useful purpose in making it quite clear that Senator McCarthy would have no shortage of recruits should he decide to extend his witch-hunting activities over here." The point is rather that ad-

vocates of harsh and indiscriminate repressive measures are unable to win either popular support or significant financial backing. There seems to be no mass base to provide followers for such organizations as Clan Briton, the Conservative Christian League, or even the National Pilgrimage Committee.

More important is the fact that the British press has not, with remarkably few exceptions, contributed space to reporting their demands or exploits. The contrast is provided by the United States, where certainly one of the factors in creating the anti-libertarian climate is that the press since 1935 has front-paged the distortions and innuendoes manufactured by Congressional committees, their staffs, and witnesses. This was not, in many cases, deliberately done by the newspapers, but merely reflected the notion of news as "conflict," and the absence of individual protection afforded by adequate libel laws. One gains the impression from many British papers that they have not only treated their extremists as rather ridiculous exhibitionists, but have actively sought to educate the public to stand by democratic principles. Thus, the papers have warned the Trades Union Congress and the Labour party not to enforce their disciplinary measures to the point of choking off all disagreement. Many editorials expressed concern at the Australian government's action in declaring the Communist party to be illegal. And the papers have not been inhibited in their discussion of the necessity for protecting civil liberties by the rank or ecclesiastical affiliation of those who favor repression.

The British have not glorified any of the ex-Communists nor provided opportunity for them to embark on new careers as professional witnesses. They are inclined to be skeptical of reliance upon ex-Communists for instruction in political democracy, for astute political analysis, or for guidance in the present situation. Thus, historian H. R. Trevor-Roper, reporting on a meeting of the American-inspired Congress for Cultural Freedom, comments "I am confirmed in my view that a more satisfactory solution will be offered by those who have never swallowed, and therefore never needed to revomit, that obscurantist doctrinal rubbish whose residue can never be fully discharged from the system."³⁵ One or two books have been published and some lectures arranged, but there is no guild and no special reward for the ex-Communist. Certainly no bitterness is shown them—there were even editorials written to welcome home one of the more prominent scientists³⁶—but merely to have been a Communist is not considered adequate preparation for a university post or a newspaper column.

Wanted—Accurate Appraisal of the Security Menace

Leaders of all major parties and government officials have insisted upon looking at the reality of the Communist challenge. They have not completely identified the domestic Communist party and its aims with the in-

ternational position and foreign policies of the Soviet Union. They have distinguished Communism as a political movement from Communists who serve the Soviet Union by engaging in espionage. This distinction has enabled the application of techniques adapted to counter-espionage without creating an atmosphere of generalized doubt, suspicion, or fear. The Communist party in Britain, as elsewhere in Europe and in the United States, has sought to follow the directions supplied, sometimes belatedly, by the Soviet Union. There are few people today who can believe that the British Communist party is an autonomous, purely local political organization, whose policies are the result of the views and intentions of its British members. This circumstance certainly suggests that considerable risk is involved in the employment of Communists in sensitive positions heavily affected by security considerations when Britain and the Soviet Union are in opposition. Recognition of this unpleasant fact does not automatically provide a solution. The fact established is only the possibility of espionage. Patently this does not warrant wholesale expulsion, even if all the Communists can be identified. To remain true to the principles of a democratic society, the nation must respect the right of individual differences and tolerate a wide range of political controversy. Many Europeans recognize Communism as a perfectly rational approach to the problems of organizing an urban, technological society. They are not accustomed, whatever their evaluation, to characterize it as "total evil" or a "satanic world-wide conspiracy," or the vehicle of the anti-Christ. It flouts intelligence, they believe, to assume that all Communists would be spies or traitors, even if they combined both talent and opportunity. Thus, to remove a Communist from a position is in part to take action against opinion—an opinion which, if not admired, is not considered depraved. Political purging tacitly admits that the employee has committed no offense, otherwise he would be prosecuted. Increasingly it will be impossible to identify members of the party by their display of lapel buttons or membership cards, so an elaborate counter-espionage system will be required. In times of stress there will be pressure from those who would eliminate all persons who subscribe to any form of political unorthodoxy. The dilemma remains: How to balance democracy, individual freedom, and integrity with the requirements of national security. It is probable that the answer lies not in a semantic formulation of principles, but in the rules and procedures adopted to safeguard the nation's security and to safeguard the nation from the ill effects of these rules and procedures. The Government is responsible for maintaining both internal democracy and the safety of the society from external hazards. Survival of democracy always entails compromises; neat, logical alternatives or solutions are rarely presented. The administration of a security system must observe this delicate balancing of apparent community interests and individual rights, and of the values of safety and the values of freedom. To purchase

physical security by measures which nullify the creative forces of a society may destroy the very existence of all that makes the society worth being loyal to despite the high price paid.

It would be difficult to improve on the statement of guiding principle provided by Sir Percy Sillitoe, when he was director of the British security police:

M.I.5 has, as I have explained, no executive powers. And the head of the Security Service is—fortunately, in my opinion—not empowered to take the law into his own hands and put people under arrest because he suspects them of being spies, or for any other reason.

We must all bear in mind if we cry out against the people who have abused their liberty in this country, that had we deprived them of that liberty without legal evidence against them we should have been taking steps which would, inevitably, have threatened the liberty of every one of us in Britain. We should in fact have been standing at the top of the slippery slope which leads to the Police State—in which the ordinary citizen goes in constant helpless fear of a Secret Police against whose decrees he has no redress.

Surely none of us wants that? I myself, at any rate, would rather see two or three traitors slip through the net of the Security Service than be a party to the taking of such measures which could result in such a regime.³⁷

Intangible Factors

Contributing to Britain's considerable success in achieving a balanced approach to the task of sustaining national security are a number of intangible factors. There is, for example, the influence of the parliamentary tradition, including popular respect for the Government and civil service. Related to this is the concept of responsibility in cabinet and opposition party, and in the behavior of individual members of Parliament. There is a pride of membership and a kind of institutional self-respect which militates against irresponsible conduct. Throughout the society there is a very considerable margin of tolerance for dissent and nonconformity, especially for that variety which is private and imposes on no one. Thus, even the British Legion, counterpart of the American Legion, rejected a proposal to prohibit Communists from joining. Sir Ian Fraser, Legion president and Conservative M. P., insisted that "the way to deal with political thought with which you are in disagreement is by argument and reason, not by banning."³⁸ There is a characteristic confidence, unspoken and probably deprecated, in the loyalty, devotion, and common sense of the ordinary citizen. This is reflected in the government's attitude toward its people and by ordinary men and women in their relations. Difficult to formulate precisely, and yet noted by many foreign observers, there is present a calm certainty that the "other chap" will play the game and do his part. Finally, one may recognize, without exaggerating its importance, the sense of social responsibility displayed by British conservatism. This may be more a product

of history and experience than of virtue and philosophy. It operates, however, to minimize conservative participation in anti-democratic, illiberal movements which elsewhere have capitalized on fear of Communism to enforce orthodoxy and weaken democracy.

Relevant Political and Social Conditions

Bolstering these intangible assets there are some exceedingly practical and palpable conditions which provide safeguards against successful manipulation of a security program, or the creation of fear, hysteria, or illiberalism for private or class ends. To exploit the power of Parliament or the cabinet for this purpose, it is necessary for a government to be agreed on the policy and for the opposition either to cooperate or be too disorganized to resist. This probably means, in practice, that there would have to be a fairly precise understanding among the members of the dominant governing class and tacit acceptance of this leadership by the nominal leaders of the opposition class. Something approximating this situation did exist in the nineteenth century and in the period between 1918 and 1940. No single member or even a group of fairly powerful M. P.'s could exert power independently of the cabinet. There is no committee system that lends itself to abuse and no way for the talented demagogue to obtain funds. This fact alone, even without normal revulsion, would be sufficient to prevent the creation of that queer tribe of professional witnesses, paid informers, and police spies who have won such status in the United States. The individual member could not consistently oppose his party in major policy matters without ultimately being expelled. There is no way in which an M. P. can create a private empire, follow his own course, and continue to exploit the party label. At the same time, the operation of the parliamentary system also complicates lobbying techniques. To be effective from outside, a pressure group must operate at cabinet level so as to influence government policy; the individual member can contribute little. If, as is common, representatives of special interests sit in Parliament, they are subject to the discipline of their party or the Government, and their operations are relatively visible. Since organizations which might be tempted to make anti-Communism a way of life are little more than letterhead bodies, lacking support from mass circulation newspapers, radio-television, or the movies, they have little prospect of forcing their will on members of Parliament or the Government. It is also worth noting that the anonymity of the civil servant and the principle that responsibility is placed at ministerial level prevents the kind of abuse common in the United States. There is no mechanism through which an individual M. P. could conduct a personal campaign against an executive department or an individual public servant. A career service would be unlikely to tolerate such abuse.

Quite apart from such institutional considerations, there are broad social

conditions which thus far have prevented overt abuse of the security program. There is no serious split within the contending parties that could be easily exploited by power-seeking political delinquents. Existing differences do not lend themselves to this particular distortion, and in neither party is there a significant faction willing to pervert the security program for private or class ends. It is inconceivable that a politician of national stature could accuse his political opponents of treason and remain in public life. Even the preliminary efforts in this direction by sections of the yellow press were condemned by representatives of all groups in Britain.

Though privilege and power may gradually be shifting there appears to be little indication that those adversely affected are either willing, or consider it feasible, to flout the constitution. Sir Oswald Mosley promises a new burst of activity and claims to have more than adequate backing and ample funds; this may be no more plausible than some of his earlier prognostications. It may be that the British ruling classes were pretty thoroughly disillusioned by the way fascism worked out on the Continent, that they are certain of their ability to continue to channel the energies of those who would permanently eliminate the sources of private power and privilege, or that their devotion to humanistic and democratic values overrides all other considerations. Whatever the explanation, there is no evidence to suggest that they have sought to mask class goals behind the security program. Surprisingly few demagogues survive in British national politics, and even men who are so characterized by their more bitter opponents base their appeal on grounds more rational than an anti-Communist crusade. Even within the limited sphere of trade-unionism, Mr. Arthur Deakin is discovering that anti-Communism is no substitute for policy and program. Perhaps the stark facts of existence in Britain press toward rationality; it may be that paranoia, hysteria, fantasy are a luxury for countries that are wealthy and secure!

So long as we live in a world of nation-states and violence is the ultimate arbiter of international disputes, counter-intelligence and counter-espionage tactics are imperative. Every major power, whether potential ally or enemy, may be assumed to be conducting intelligence operations, and the distinction between intelligence and espionage may depend on whether one is speaking of friend or foe! Security and intelligence agencies utilize techniques and procedures which are antithetical to the premises of a democratic society and, as U. S. Attorney General Harlan F. Stone (later Chief Justice of the Supreme Court) warned, "there is always the possibility that a secret police system may become a menace to free government and free institutions."³⁹ Wire-tapping, opening mail, surveillance of individuals to observe habits and associates remain a dirty business, even when conducted for patriotic reasons. It is vital therefore that the security agency be subject to constant scrutiny by a body responsible to the voters, and

that a generally skeptical attitude toward its findings be encouraged. It is an extremely dangerous luxury for a democratic society to foster an uncritical admiration for any police agency. In the words of an American judge, "secrecy is not congenial to truth-seeking and self-righteousness gives too slender an assurance of rightness."⁴⁰ Furthermore, it is vital to understand that there is no such thing as absolute security and the futile pursuit of this will-o'-the-wisp may actually weaken the national defense by crippling its science and undermining the morale of its public servants.

Questions and Choices

Perhaps it is heretical to question, but is it really a proper function for a democratic government to proscribe organizations? Though the British, as the American, government has maintained a judicious balance by including both Communists and fascists as security risks, one may doubt both the propriety and the utility of this procedure. For a majority government to attack a minority party is certainly a violation of democratic principle. It means, in practice, that a government is prescribing for its citizens, telling them what "bad" political ideas to avoid. In a sense this is an expression of contempt for its citizens. The procedure is probably equally futile when done by such citizen organizations as trade unions or political parties, but at least their action does not carry the connotation of state repression of ideas or organization.⁴¹ In any case, the procedure seems to be completely valueless and may actually be harmful by forcing the minority groups underground. Repression does not change people's minds. The Soviet Union usually does not recruit spies from domestic Communists, from open members of the party, nor is it likely to resort to such tactics as a matter of policy. This is not to deny that, on occasion, it will make use of a devoted small-fry Communist who takes his theology seriously and feels it a duty to pass on everything to headquarters. This is unlikely to be very significant, for much of this information is useless, as revealed by such former Communists as Douglas Hyde or Bob Darke, and the rest is likely to be readily available in publications previously available to the Soviet Embassy. It is worth emphasizing that the cases of Alan Nunn May, Bruno Pontecorvo, Klaus Fuchs, and "the missing diplomats" Donald MacLean and Guy Burgess could not have been prevented by sweeping discrimination against all Communists. These men were screened by the security service and their subsequent defection merely underscores the impossibility of attaining absolute security.

In final evaluation one may consider the whole conception of security in a democratic state. It is extremely doubtful that a publicly announced program is either necessary or desirable. A proper security system does not require publicity. It should be a continuing function of government, and the more quiet and discreet its conduct the more likely its effectiveness.

Prime Minister Attlee's policy statement in the House of Commons in March 1948 contributed only to apprehension and to ostensible political conformity. The civil service in cooperation with MI5 could have continued to screen its employees quietly and no one would have been disturbed. Certainly a government must take positive measures to protect itself and the society it represents, but the impact of such measures should be as narrowly circumscribed as possible. There are dangers in this course, too, but its repressive influence in the society would be minimized.

Given the present world situation, all governments are required to perfect measures to prevent or, at least, to minimize the possibility of subversion and espionage. The task is to develop the most efficient techniques while providing the maximum safeguards for the fundamental values on which the society rests.

To date it would appear that the British have achieved a considerable degree of success in this effort.

Footnotes to the Study

1. Henry Hallam quoted in Henry Hamilton: *England, A History of the Homeland*, p. 543.

2. *The God that Failed*, p. 13.

3. *Law and Social Change in Contemporary Britain*, p. 283. It should be noted that the writ of Habeas Corpus itself is of common law and not statutory origin. But it is true that the efficacy of the writ as a protection against arbitrary arrest is due to the Acts of 1689 and 1316.

4. Hamilton, *op. cit.*, p. 559.

5. It is worth remembering that the Act of 1351 was passed to restrict the common law doctrine of treason which had been broadened by judicial interpretation to cover a great many crimes outside the scope of the Act.

6. This is actually interpreted to mean the commission of an overt act. The mere state of mind is not enough; the accused must "be thereof provably attainted by open deed."

On the other hand, judges gave a very extended meaning to some of the provisions of the Act, creating a number of so-called "constructive treasons." These were later made statutory offenses by Acts of 1795 and 1848, and are now called "treason felonies."

7. *Justice in England*, p. 267. This extreme interpretation is denied by others on the following grounds:

1. When emergency has been proclaimed Parliament is to be informed forthwith, and if the Houses are adjourned or prorogued they shall be summoned to meet within five days.

2. The Act confers a power on the Executive to make regulations for securing the essentials of life to the community. But it is provided that nothing in the Act is to authorize the making of regulations imposing military or industrial conscription, the alteration of the rules of criminal procedure, or punishment for the peaceable persuasion of persons to join in a strike.

3. The maximum penalty that can be imposed for breach of the regulations is imprisonment for three months or a fine of £100 or both.

8. *British Liberty in Danger*, p. 60. This statement is challenged by some lawyers who interpret the statute as meaning that it is only an offense to be in possession of offending literature "with intent to commit, aid, or abet the commission" of the offense under section 1, i.e., maliciously and advisedly endeavoring to seduce any member of H. M. forces from his duty.

9. Lord Atkins said that the words in the regulation, "if the Secretary of State has reasonable cause to believe," did not mean if the Secretary *thinks* he has reasonable cause to believe. It followed in his opinion, therefore, that *if the decision to make a detention order was challenged* the courts could inquire whether as a matter of objective fact the Secretary of State did or did not have "reasonable cause to believe."

10. It is possible that wire-tapping might be actionable as trespass, but that would depend on how it was done.

11. Private correspondence with British official.

12. There are also certain powers of interfering with mail conferred on the Postmaster General by the Post Office Act of 1953.

13. *Introduction to the Study of the Law of the Constitution*, p. 242.

14. *Hamilton*, op. cit., p. 559.

15. *The English People*, Alfred A. Knopf, Inc., 1943, p. 150.

16. *Manchester Guardian*, Dec. 8, 1950.

17. *Manchester Guardian Weekly*, March 4, 1948.

18. *Daily Telegraph and Morning Post*, June 8, 1948.

19. p. 268.

20. Report, p. 535.

21. Figures given by Sir Hartley Shawcross, former Attorney-General of the

United Kingdom, in an address in New York, January 15, 1954. Reported in *The New York Times*, January 16, 1954.

22. *Manchester Guardian*, July 14, 1951.

23. p. 14.

24. pp. 50–51.

25. *Manchester Guardian*, September 16, 1950.

26. *Ibid.*, “Communist Campaign.”

27. *Manchester Guardian*, July 18, 1953.

28. The British Institute of Public Opinion conducted a national poll asking the question: “Do you think that the Labour party should or should not admit the Communist Party to membership?” The results:

1943	Yes 27%	No 41%	Don't Know 32%
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1946	Yes 16%	No 54%	Don't Know 30%
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29. “The Co-operative Party and the Communists,” p. 2. (Leaflet published by The Co-operative Party, July 1, 1948.)

30. *London News Chronicle*, July 25, 1950.

31. Speaking to members of the Student Union at the London School of Economics. Reported in *Manchester Guardian*, February 23, 1951.

32. Letter from Sir William Haley, director general of B.B.C. to T. L. Littlewood, general secretary, Staff Association. *London Times*, March 29, 1948. Letter from Mr. Littlewood to Harvey Glickman, July 29, 1953.

33. On Strachey case; see *Evening Standard*, March 3, 1950; *News Chronicle*, March 3, 1950; *Daily Express*, March 4, 1950; *Times*, March 4, 1950; *Manchester Guardian*, March 4, 1950; *Sunday Express*, March 5, 1950; *Manchester Guardian*, March 7, 1950.

34. *The New York Times*, July 15, 1952. See also *Manchester Guardian*, August 17, 1951; July 20 and 21, 1951; September 22, 1950; January 24, 1953.

35. *Manchester Guardian*, July 10, 1950, “Ex-Communist v. Communist: The Congress for Cultural Freedom.”

36. *Manchester Guardian*, November 14, 1950, “Back to Sanity.” Greeting Professor J. B. S. Haldane—“He is too good a man to be wasting his time in a bad cause.”

37. *London Sunday Times*, November 22, 1953.

38. Reuters. *New York Compass*, June 3, 1952.

39. Quoted by Alan Barth: *The Loyalty of Free Men*, p. 151.

40. Mr. Justice Frankfurter in *Joint Anti-Fascist Refugee Committee v. McGrath*, 341 U.S. 123.

41. Interesting that Sir Hartley Shawcross expressed a similar view in a New York address, January 15, 1954: “Broadly we would say that indirect propaganda can best be dealt with by an informed and enlightened public opinion; espionage and sabotage only by Government agencies—and by no others—in accordance with the rule of law.”

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* Pamphlets

Appendix

Organizations Proscribed by the Labour Party

Membership of a proscribed organization is incompatible with membership of the Labour party.

British Soviet Society
British Soviet Friendship Houses Ltd.
Common Wealth
Communist Party of Great Britain
Labour Research Department
Marx House
Militant Labour League
Scottish U.S.S.R. Society
Women's Parliament
Student Labour Federation
International Youth Council in Britain
The World Federation of Democratic Youth
Women's International Democratic Federation
League for Democracy in Greece
British Peace Committee
Welsh Peace Council
Socialist Fellowship
Union Movement
British Youth Festival
International Women's Day Committee
People's Congress for Peace
West Yorkshire Federation of Peace Organisations
World Federation of Trade Unions
The International Union of Students
The International Association of Democratic Lawyers
The International Organisation of Journalists
The World Federation of Scientific Workers
British-Soviet Friendship Society
British-Polish Friendship Society
British-China Friendship Association
British-Czechoslovak Friendship League
British-Rumanian Friendship Association
The Committee for Friendship with Bulgaria
British-Hungarian Friendship Society
Medical Association for the Prevention of War
Artists for Peace
Musicians' Organisation for Peace
Authors' World Peace Appeal

Teachers for Peace
Scientists for Peace

The following organizations have at some time been proscribed by the party but are now believed to exist no longer:

Independent Socialist Party
National A.R.P. Co-ordinating Committee
National Council of Anglo-Soviet Committees (and Subsidiaries)
National Council for British Soviet Unity
Russia To-day Society
University Labour Federation
British Union of Fascists
Independent Labour Association of Wolverhampton
Scottish Peace Council
Anti-Fascist Relief Committee
British Anti-War Council
British Anti-War Movement
European Workers' Anti-Fascist Congress
Friends of Soviet Russia
Friends of Soviet Union
International Class War Prisoners' Aid
League against Imperialism
Left Wing Movement
Minority Movement
National Anti-War Council
National Charter Campaign Committee
People's Convention
Railwaymen's Vigilance Committee
Relief Committee for the Victims of German and Austrian Fascism
Relief Committee for the Victims of German Fascism
Workers' International Relief
The Link
New Party (Oswald Mosley Organisation)
Popular Front Campaign
Socialist League
United Peace Alliance

The position of other political organizations not mentioned in the proscribed list is governed by Clause II, Paragraph (3), of the Labour Party Constitution, which reads as follows:

Clause II, paragraph (3): . . . Political organisations not affiliated to or associated under a National Agreement with the Party on January 1st, 1946, having their own Programme, Principles and Policy for distinctive and separate propaganda, or possessing Branches in the Constituencies, or engaged in the promotion of Parliamentary or Local Government Candidatures, or owing allegiance to any political organisation situated abroad, shall be ineligible for affiliation to the Party. . . .

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